APHC010522322026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3327]**
(Special Original Jurisdiction)

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K. SREENIVASA REDDY

WRIT PETITION NO: 28413/2026

Between:

1. RATNALA SRINIVASA RAO, , S/O.HARINATH AGED 40 YEARS, OCC CONTRACTOR R/O.D.NO.19-3-16, CHINNAPETA BHIMAVARAM, WEST GODAVARI DISTRICT, PIN CODE - 534201

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY WATER RESOURCES DEPARTMENT SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI GUNTUR DISTRICT, PIN CODE NO.522503.
2. ENGINEERINCHIEF, WATER RESOURCES DEPARTMENT VIJAYWADA, NTR DISTRICT, ANDHRA PRADESH. PIN CODE - 520002
3. THE SUPERINTENDING ENGINEER FAC, IRRIGATION CIRCLE, ELURU DISTRICT , ANDHRA PRADESH. PIN CODE - 534001
4. THE EXECUTIVE ENGINEER, DRAINAGE DIVISION, IRRIGATION CIRCLE, BHIMAVARAM,ANDHRA PRADESH. PIN CODE - 534201
5. THE COLLECTOR AND DISTRICT MAGISTRATE, WEST GODAVARI DISTRICT, BHIMAVARAM. ANDHRA PRADESH. PIN CODE - 534201

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order, or direction, more particularly a Writ of

Mandamus, declaring the action of the respondents in not releasing the bill amounts for the works executed on the basis of Letter of Acceptance Letter No.EE/DD/BVRM 2024-25 dt.23.09.2024 1) Removal of Kikkisa on Gunupudi South Major drain from Kim 6.800 to 11.000 under jurisdiction of Drainage Section No.4. Chinnagollapalem for an amount of Rs.4.78 lakhs and 2) Removal of Kikkisa on Polimera Tippa Medium drain from Km 3.100 to 5.125 under Drainage Section No.2, Bhimavaram for the year 2024-25 for an amount of Rs.4.99 lakhs total Rs.9.77 lakhs inspite of repeated requests and representations made by petitioner is illegal, arbitrary and unconstitutional and consequently direct the respondents 2 to 4 to release the amounts for the works executed by the petitioner

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the respondents 2 to 4 to release the amount of Rs.9,97,000/- (Rupees Nine Lakhs Ninety Seven Thousand only) against the Letter of Acceptance Letter of Acceptance Letter No.EE/DD/BVRM 2024-25 dt.23.09.2024 1) Removal of Kikkisa on Gunupudi South Major drain from Kim 6.800 to 11.000 under jurisdiction of Drainage Section No.4. Chinnagollapalem for an amount of Rs.4.78 lakhs and 2) Removal of Kikkisa on Polimera Tippa Medium drain from Km 3.100 to 5.125 under Drainage Section No.2, Bhimavaram for the year 2024-25 for an amount of Rs.4.99 lakhs total Rs.9.77 lakhs forthwith to the petitioner

Counsel for the Petitioner:

1. V RAJA MANOHAR

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR IRRI AND CAD

The Court made the following:

O R D E R

This Writ Petition is filed seeking the following relief:

> "….to issue a writ, order, or direction, more particularly a Writ of Mandamus, declaring the action of the respondents in not releasing the bill amounts for the works executed on the basis of Letter of Acceptance Letter No.EE/DD/BVRM 2024-25 dt.23.09.2024 1) Removal of Kikkisa on Gunupudi South Major drain from Kim 6.800 to 11.000 under jurisdiction of Drainage Section No.4. Chinnagollapalem for an amount of Rs.4.78 lakhs and 2) Removal of Kikkisa on Polimera Tippa Medium drain from Km 3.100 to 5.125 under Drainage Section No.2, Bhimavaram for the year 2024-25 for an amount of Rs.4.99 lakhs total Rs.9.77 lakhs inspite of repeated requests and representations made by petitioner is illegal, arbitrary and unconstitutional and consequently direct the respondents 2 to 4 to release the amounts for the works executed by the petitioner and to pass such other order…"

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Irrigation and the learned Assistant Government Pleader for Finance and Planning.

3. The petitioner claims to be engaged in the execution of civil works and that he was entrusted with various works on a tender basis. It is the case of the petitioner that he was awarded a contract for execution of the works viz. (1) Removal of Kikkisa on Gunupudi South Major drain from Kim 6.800 to 11.000 under jurisdiction of Drainage Section No.4, Chinnagollapalem, and (2) Removal of Kikkisa on Polimera Tippa Medium drain from Km 3.100 to 5.125 under Drainage Section No.2, Bhimavaram. It is the case of the petitioner that he executed the works to the satisfaction of the authorities concerned, and

upon completion of the works, the respondent authorities measured the same and recorded the measurements in the Measurement Books.

4. It is the grievance of the petitioner that notwithstanding the completion of the works and its measurement by the competent authorities, the amount due towards the executed works has not been paid till date. According to the petitioner, although the works were completed long back, the respondent authorities are not releasing the admitted amount payable to him. Aggrieved by the non-payment of the said amount, the petitioner filed the present Writ Petition.

5. Learned Assistant Government Pleader for Irrigation, on written instructions received from the Executive Engineer, Drainage Division, Bhimavaram – 4th respondent herein, submits that the petitioner has executed two works. In respect of the first work, the petitioner has already been paid the amount due. However, in respect of the second work, an amount of Rs.2,11,000/-, exclusive of taxes, remains payable to the petitioner. It is further submitted that the said amount could not be released as the petitioner has not come forward to sign the Measurement Book (M.Book). In this regard, the petitioner has lodged a complaint through the PGRS vide PGRS No. WEG20250812239, dated 12.08.2025, alleging that the respondent authorities, instead of releasing the amounts due for the works executed by him, have been delaying the payment on one pretext or another. The written instructions are placed on record.

6. Since the amount payable is admitted and undisputed, Writ Petition is maintainable. In ***M/s.Utkal Highways Engineers and Contractors v. Chief General Manager & Ors***[1], it was held at Para No.8 as under:

> "Be that as it may, the High Court has not dealt with the merits of the Writ Petition. Moreover, it is not an inviolable rule that no money claim can be adjudicated upon in exercise of writ jurisdiction. Non-payment of admitted dues, inter alia, may be considered an arbitrary action on the part of

[1] 2025 SCC OnLine SC 1400

respondents and for claiming the same, a Writ Petition may lie. Further, throwing a Writ Petition on ground of availability of alternative remedy after 10 years, particularly, when parties have exchanged their affidavits, is not the correct course unless there are disputed questions of fact which by their very nature cannot be adjudicated upon without recording formal evidence."

7. Having regard to the fact that there is no dispute with regard to the works executed by the petitioner and the amount payable to him, and in view of the submissions of the learned Assistant Government Pleader for Irrigation, the respondent authorities are directed to pay admitted amount payable to the petitioner within a period of Eight (8) weeks from the date of receipt of a copy of this order. It is pertinent to mention here that the petitioner shall cooperate with the respondent authorities with regard to putting of his signature on the Measurement Book (M.Book).

8. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, the Interlocutory Applications, if any, pending in this Writ Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

Date: 29.10.2026
MS / DS

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No.28413 of 2026

Date: 29.10.2026

MS