APHC010538932026

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

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K. SREENIVASA REDDY

WRIT PETITION NO: 29615/2026

Between:

1. KOTA VENKATESWARA RAO, S/O SAMBASIVA RAO, AGED ABOUT 47 YEARS, OCC CONTRACTOR, R/O VALIVERU VILLAGE, TSUNDUNR MANDAL, BAPATLA DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT IRRIGATION AND CAD WATER RESOURCES DEPARTMENT, SECRETARIAT BUILDINGS, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.522238.
2. THE STATE OF ANDRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.522238
3. THE DISTRICT COLLECTOR, BAPATLA DISTRICT. 522101
4. THE ENGINERINCHIEF, MINOR AND MAJOR IRRIGATION DEPARTMENT GOVERNMENT OF ANDRA PRADESH, IRRIGATION BHAVAN, VIJAYAWADA, KRISHNA DISTRICT. 520001.
5. THE SUPERINTENDING ENGINEER, IRRIGATION AND WATER RESOURCES DEPARTMENT, GUNTUR. 522002
6. THE EXECUTIVE ENGINEER, K.W.DIVISION, TENALI, GUNTUR DISTRICT. 522201

...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 of mandamus or any other appropriate writ or direction declaring the action of the Respondents not paying the bills for execution of work vide Agreement No.458 Kw/2025-2026 for an amount of Rs.3,46,903/- to the petitioner with 6 percentage interest till today from the date of completion of respective works as illegal, arbitrary violation of principles of natural justice and violative of Article 14, 19 (i) g, 21 of the Constitution of India, consequently direct the respondents to release the bills for the above completed work immediately with 6 percent interest and to pass

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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 to direct the respondents to release the amount of Rs.3,46,903/- towards payment of above final bills for the contract works under taken by the petitioner pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1. PETA GNANA TEJA

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR IRRI AND CAD
3. GP FOR FINANCE PLANNING

The Court made the following:

O R D E R

This Writ Petition is filed seeking the following relief:

> "….to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the Respondents not paying the bills for execution of work vide Agreement No.458 Kw/2025-2026 for an amount of Rs.3,46,903/- to the petitioner with 6% interest till today from the date of completion of respective works as illegal, arbitrary violation of principles of natural justice and violative of Article 14, 19 (i) g, 21 of the Constitution of India, consequently direct the respondents to release the bills for the above completed work immediately with 6% interest and to pass such other order…"

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

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 work viz. Emergency repairs to Damaged head Sluice shutters of Stuvartpuram Channel of Boyinavaripalem Village Chirala Mandal, Bapatla District. It is the case of the petitioner that he executed the work to the satisfaction of the authorities concerned, and upon completion of the work, the respondent authorities measured the same and recorded the measurements in the Measurement Book.

4. It is the grievance of the petitioner that notwithstanding the completion of the work and its measurement by the competent authorities, the amount due towards the executed work has not been paid till date. According to the petitioner, although the work was 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, Krishna Western Division, Tenali-6th respondent submits that there is no dispute with regard to the execution of the subject work by the petitioner and that the balance amount payable to the petitioner is for Rs.4,09,755/- subject to statutory deductions, if any. He further submits that the Bills are not uploaded in NIDHI Portal due to non-release of LOC to the required extent. 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 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 work 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 of Rs.4,09,755/- to the petitioner within a period of Eight (8) weeks from the date of receipt of a copy of this order.

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[1] 2025 SCC OnLine SC 1400

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: 02.11.2026
MS / DS

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No.29615 of 2026

Date: 02.11.2026

MS