APHC010542062026

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: 29671/2026

Between:

1. PASUPULETI SAI BABU, S/O. SATYANARAYANA, AGED ABOUT 64 YEARS, OCC CONTRACTOR, R/O.18-5-211, GOWRIKONERU, PEDDAPURAM, DR. B.R.AMBEDKAR KONASEEMA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, WATER RESOURCES DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT-522237.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE AND PLANNING DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT-522237.
3. THE ENGINEERINCHIEF A W, VIJAYAWADA, NTR DISTRICT - 520003.
4. THE EXECUTIVE ENGINEER, YELERU IRRIGATION DIVISION, PEDDAPURAM, KAKINADA DISTRICT-533437..

...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 an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying a sum of Rs.2,66,208/ (Rupees Two Lakhs Sixty Six Thousand Two

Hundred Eight only) in respect of works under Water Resources Department of Embankment Repairs to Left Bank of Erra Calva at Km 5.300 in Ramakrishnapuram (V) limits in Kirlampudi (M) as illegal, irregular, arbitrary, highhanded mala fide and against to the principles of natural justice and violative of fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India and consequently direct the Respondents to release an amount of Rs. 2,66,208/- (Rupees Two Lakhs Sixty Six Thousand Two Hundred Eight only) along with 12 percentage interest from the date of completion of the work to till the date of realization forthwith and 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 admitted an amount of Rs. 2,66,208 /- (Rupees Two Lakhs Sixty Six Thousand Two Hundred Eight only) in respect of works Reverment Repairs to (OT Collapsed) on Appalaraju Calva in Somarayunipalem (V) of Kirlampudi (M). forthwith to the Petitioner pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1. B JAYA PRABHAKARA RAO

Counsel for the Respondent(S):

1. GP FOR IRRI AND CAD
2. 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 an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying a sum of Rs.2,66,208/ (Rupees Two Lakhs Sixty Six Thousand Two Hundred Eight only) in respect of works under Water Resources Department of Embankment Repairs to Left Bank of Erra Calva at Km 5.300 in Ramakrishnapuram (V) limits in Kirlampudi (M) as illegal, irregular, arbitrary, highhanded mala fide and against to the principles of natural justice and violative of fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India and consequently direct the Respondents to release an amount of Rs.2,66,208/- (Rupees Two Lakhs Sixty Six Thousand Two Hundred Eight only) along with 12% interest from the date of completion of the work to till the date of realization forthwith and pass such other order…"

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Irrigation and 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 work viz., "Embankment Repairs to Left Bank of Erra Calva at Km 5.300 in Ramakrishnapuram (V) limits in Kirlampudi (M)". 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, Yeleru Irrigation Division, Peddapuram, Kakinada District-4th 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.2,66,208/- subject to statutory deductions, if any. He further submits that, Bills were not uploaded in NIDHI Portal for processing payments to the petitioner 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."

[1] 2025 SCC OnLine SC 1400

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.2,66,208/- to the petitioner within a period of Six (6) weeks from the date of receipt of a copy of this order.

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.29671 of 2026

Date: 02.11.2026

MS