APHC010544852026

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: 29731/2026

Between:

1. SRI MAHENDRA NADH SWAMIJEE,, S/O. BHAVANNARAYANA, AGED 63 YEARS, OCC. AYACUTDAR/AGRICULTURIST, RIO D.NO.1-3, CHODAVARAM VILLAGE, RAMACHANDRAPURAM MANDAL, DR. B.R. AMBEDKAR KONASEEMA DISTRICT (ERSTWHILE EAST GODAVARI DISTRICT).

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, WATER RESOURCES (IRRIGATION) DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, FINANCE AND PLANNING DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
3. THE DISTRICT COLLECTOR, DR. B.R. AMBEDKAR KONASEEMA DISTRICT (ERSTWHILE EAST GODAVARI DISTRICT), AMALAPURAM.
4. THE SUPERINTENDING ENGINEER, WATER RESOURCES DEPARTMENT, IRRIGATION CIRCLE,.DOWLAISWARAM, EAST GODAVARI DISTRICT.
5. THE EXECUTIVE ENGINEER, WATER RESOURCES DEPARTMENT, GODAVARI EASTERN DIVISION, RAMACHANDRAPURAM, DR. B.R. AMBEDKAR KONASEEMA DISTRICT (ERSTWHILE EAST GODAVARI DISTRICT).

...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 one in the nature of Writ of Mandamus for declaring the action of the respondents in not releasing the total final bill amount of Rs.2,53,228/- along with interest to the petitioner in pursuance of the Agreement entered into with the 5th respondent vide Agreement No.78D/2023-24 dated 20.09.2023, as illegal, arbitrary, violative of principles of natural justice and unconstitutional and consequently direct the respondents to release the final bill amount of Rs.2,53,228/- along with interest to 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 to direct the respondents to release the total amount of Rs.2,53,228/- along with interest to the petitioner forthwith, pending disposal of the main writ petition

Counsel for the Petitioner:

1. RAMESH BABU TALLURI

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, Order or Direction, more particularly one in the nature of Writ of Mandamus for declaring the action of the respondents in not releasing the total final bill amount of Rs.2,53,228/- along with interest to the petitioner in pursuance of the Agreement entered into with the 5th respondent vide Agreement No.78D/2023-24 dated 20.09.2023, as illegal, arbitrary, violative of principles of natural justice and unconstitutional and consequently direct the respondents to release the final bill amount of Rs.2,53,228/- along with interest to the petitioner and pass such other order…"

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Irrigation, the learned Assistant Government Pleader for Finance and 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. "Removal of weed growth in New Chodavaram, NS Peta and Agraharam Branch Channels (2023-23)". 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, from the Executive Engineer, Godavari Eastern Division - 5th respondent, submits that there is no dispute with regard to the execution of the subject work by the petitioner and balance amount payable to the petitioner is Rs.2,68,440/- subject to statutory deductions of Rs.30,668/-. He further submits that one bill is pending for want of release of LOC. 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.2,68,440/- payable to the petitioner within a period of Six (6) 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.

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JUSTICE K. SREENIVASA REDDY

Date: 02.11.2026.
MS / DS

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No:29731 of 2026

Date: 02.11.2026

MS