



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

[3331]

WEDNESDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 31861/2025

Between:

1. PLR PROJECTS PRIVATE LIMITED, REPRESENTED BY ITS AUTHORIZED SIGNATORY, C. CHANDRA SEKHAR REDDY, S/O LATE VENKATA SUBBA REDDY, AGED ABOUT 57 YEARS, OCC CONTRACTOR, R/O SURVEY NO. 12 (PART). PLOT NO.2-91/12/A/AM/G-L, 5TH FLOOR, ASTRA TOWERS, KOTHAGUDA POST, KONDAPUR, HI TECH CITY, HYDERABAD

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUCLI, AMARAVATHI, GUNTUR DISTRICT.
2. THE PROJECT DIRECTOR, ANDHRA PRADESH RURAL ROAD PROJECT AND PANCHAYAT RAJ, BANDAR ROAD, ZP COMPOUND, VIJAYAWADA, KRISHNA DISTRICT
3. THE ENGINEER IN CHIEF, PR, VIJAYAWADA, KRISHNA DISTRICT
4. THE SUPERINTENDING ENGINEER, PR CIRCLE, CHITTOOR DISTRICT
5. THE EXECUTIVE ENGINEER, PROJECT IMPLEMENTATION UNIT (P.I.U), CHITTOOR, CHITTOOR DISTRICT
6. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING,

SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR 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 OF MANDAMUS declaring the action of the Respondents herein, in withholding the payment of CC llpd and Part Bill, Gross Amount of Rs.79,62,837/- in Net amount of Rs. 67,53,945/- under Nidhi Portal No 2025-9088573, even after finalizing the bills payable to the petitioner in relation to the Package No. 77/APRRP/PRED/CTR/Road/017, consists of 73 Road works in Chowdepalle, Pulicherla, Punganur, Rompicherla and Chodam Mandals of Chittoor District as per the Agreement No./2023-24, Dt.27.07.2023 is questioned, as the same is illegal, arbitrary and violative of Articles 14, 16, 19 86 300-A of Constitution of India and consequently direct the respondents to consider for payment of CC llpd and Part Bill, Gross Amount of Rs.79,62,837/- in Net amount of Rs. 67,53,945/- under Nidhi Portal No 2025-9088573, with an interest @24percentage per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith and pass

IA NO: 1 OF 2025

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 consider for payment of CC llpd and Part Bill, Gross Amount of Rs.79,62,837/- in Net amount of Rs. 67,53,945/- under Nidhi Portal No; 2025-9088573, with an interest of 24percentage per annum for the delayed amount to the petitioner in respect of execution of works under Package No. 77/APRRP/PRED/CTR/Road/017, consists of 73 Roadworks in Chowdepalle, Pulicherla, Punganur, Rompicherla and Chodam Mandals of Chittoor District as per the Agreement No./2023-24, Dt.27.07.2023 pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. SURESH KUMAR REDDY KALAVA

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR FINANCE PLANNING

The Court made the following:

ORDER

Heard Sri Suresh Kumar Reddy Kalava, learned counsel for the petitioner and Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development & Finance and Planning Department, for the respondents.

2. The above writ petition was filed to declare the action of the respondents in withholding the payment of CC III and Part Bill, Gross Amount of Rs.79,62,837/- in Net amount of Rs.67,53,945/- under Nidhi Portal No:2025-9088573, even after finalizing the bills payable to the petitioner in relation to the Package No. 77/APRRP/PRED/CTR/Road/017, consists of 73 Road works in Chowdepalle, Pulicherla, Punganur, Rompicherla and Chodam Mandals of Chittoor District as per the Agreement No./2023-24, dated 27.07.2023, as illegal and arbitrary.

3. Today, when the matter is taken up for consideration, learned Assistant Government Pleader for Panchayat Raj, submitted the written instructions of the 6th respondent.

4. A perusal of the said instructions would disclose that the petitioner has executed the aforementioned works and the net amount payable to the petitioner is Rs.67,53,945/- and the statutory deductions comes to Rs.12,08,892/- and the bill was uploaded in CFMS Portal vide No.2025-979180 and the same is waiting for fund clearance. The written instructions are made as part of the record.

5. Thus, as seen from the instructions there is no dispute regarding the execution of works and the petitioner's entitlement for Rs.67,53,945/-. Since the amount payable is admitted and undisputed, the writ petition is

maintainable. In **M/s Utkal Highways Engineers and Contractors Vs. 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.”.

6. Given the instructions furnished by the 6th respondent, the Writ Petition is disposed of directing the respondents to release an amount of Rs.67,53,945/- (Rupees Sixty Seven Lakhs Fifty Three Thousand Nine Hundred and Forty Five only) payable to the petitioner regarding execution of the aforementioned work, within five (05) months from the date of receipt of the copy of this order. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SUBBA REDDY SATTI

PVD

¹ 2025 SCC online SC 1400