



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

**[3331]**

WEDNESDAY, THE EIGHTH DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI**

**WRIT PETITION NO: 6738/2026**

**Between:**

1.VASIREDDY VENKATA SATYA SURYA BHASKARA RAO,  
S/O.VENKATESWARLU,AGE. 61 YEARS, R/O.2-299/1, KOTA  
STREET,ROWTHULAPUDI MANDAL, ROUTHULAPUDI, EAST  
GODAVARI DISTRICT

**...PETITIONER**

**AND**

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL  
SECRETARY, DEPARTMENT OF PANCHAYAT RAJ AND  
RURAL DEVELOPMENT,SECRETARIAT BUILDING,  
VELAGAPUDI AMARAVATHI, GUNTUR.522238

2.THE EXECUTIVE ENGINEER, PRI DIVISION ,KAKINADA  
KAKINADA DISTRICT.533001

3.THE DISTRICT COLLECTOR, KAKINADA DISTRICT.533001

4.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL  
SECRETARY DEPARTMENT OF FINANCE AND PLANNING,  
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI,  
GUNTUR DISTRICT. 522238

**...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 Writ Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in withholding the payments of pending amounts of Rs. 11,83,583/- (Eleven Lakhs, Eighty three Thousand , Five Hundred and Eighty three Rupees only ) even after finalizing the bills payable to the petitioner in relation to the works i. e ' /. Providing CC Road from koruprolu satyavathi (H) TO New RBK in S.Pydipala(v) of Rowthulapudi (m) Agreement no. /2023-2024(Rs.2,77,166/-),Dated.6.10.2023 II.Providing CC Road from Nandarapu ramana(H) To church in S.Pydipala (v) of Rowthulapudi(M) .Agreement no. /2023- 24, Date.6.10.2023(Rs,2,55,107/-),III. Providing cc road from sreenu(H) To Gandepalli ramu (H) in S.Pydipala (v) of Rowthulapudi (M), Agreement no. /2023- 24,Date.06.10.2023(Rs.2,43,853/-),IV.Providing cc road from ST Peta to chintha gummu caluva in S.Pydipala (v) of Rowthulapudi (M) .Agreement no. /2023-24,Date.06.10.2023(Rs.4,07,457/-) for the year 2023 as bad, illegal, arbitrary, improper, unjust and against the Article 21 of constitution of India and consequently direct the respondents to pay the amounts of Rs. 11,83,583/- (Eleven Lakhs, Eighty three Thousand , Five Hundred and Eighty three Rupees only ) with interest @ 24percent per annum for the delayed amount till date of realization for the works executed by the petitioner and pass

**IA NO: 1 OF 2026**

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 releasing the amounts Rs.11,83,583/- (Eleven Lakhs, Eighty three Thousand five Hundred and Eighty three Rupees only ) payable, to him, pending disposal of the write petition and pass

**Counsel for the Petitioner:**

1.DEVASRI ROSHAN KANCHARLA

**Counsel for the Respondent(S):**

1.GP FOR PANCHAYAT RAJ RURAL DEV

## 2.GP FOR FINANCE PLANNING

### **The Court made the following:**

#### **ORDER**

Heard Ms.Devasri Roshan K., 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 payments of pending amounts of Rs. 11,83,583/- (Eleven Lakhs, Eighty three Thousand , Five Hundred and Eighty three Rupees only ) even after finalizing the bills payable to the petitioner in relation to above referred 4 works, 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 2<sup>nd</sup> respondent-Executive Engineer, PRI Division, Kakinada.

4. A perusal of the said instructions would disclose that the total value of the work done by the petitioner comes to Rs.14,45,569/- (Rs.3,38,616/- + Rs.3,11,321/- + Rs.2,97,841/- + Rs.4,97,791/-) and after statutory deductions and QC recovery, the net amount payable to the petitioner comes to Rs.12,26,598/-. 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.12,26,598/-. Since the amount payable is admitted and undisputed, the writ petition is

maintainable. In **M/s Utkal Highways Engineers and Contractors v. Chief General Manager & Ors**<sup>1</sup>, 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 2<sup>nd</sup> respondent, though there is a small variation in the amount claimed by the petitioner and the amount determined by the official, as payable to the petitioner, the Writ Petition is disposed of directing the respondents to release an amount of Rs.12,26,598/- (Rupees Twelve Lakhs Twenty Six Thousand Five Hundred and Ninety Eight only) payable to the petitioner regarding execution of the aforementioned work, within three (03) 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

---

<sup>1</sup> 2025 SCC online SC 1400