



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

[3330]

**MONDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

**PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

WRIT PETITION No.23576 of 2025

Between:

1.M/S. CHANDRAVARDHAN ENGINEERING CONSTRUCTIONS,,
REP. BY ITS MANAGING PARTNER VENNA SRIRAMI REDDY,
S/O. VENKATA REDDY, AGED 49 YEARS REGISTERED
OFFICE AT D. NO. 11-4, BANK COLONY,
VISWANADHAPURAM, PODILI, PRAKASAM DISTRICT

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, ROADS AND BUILDINGS DEPARTMENT, A.P
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI,
GUNTUR DISTRICT
- 2.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
FINANCE SECRETARY, FINANCE DEPARTMENT, A.P.
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI,
GUNTUR DISTRICT
- 3.THE COLLECTOR AND DISTRICT MAGISTRATE, PRAKASAM
DISTRICT AT ONGOLE
- 4.THE ENGINEER IN CHIEF, (R AND B) ADMINISTRATION,
ROOM NO. 509, HOD BUILDINGS, M. G. ROAD, VIJAYAWADA,
ANDHRA PRADESH
- 5.THE SUPERINTENDING ENGINEER, (R AND B) CIRCLE,
ONGOLE, PRAKASAM DISTRICT
- 6.THE EXECUTIVE ENGINEER, R AND B, KANIGIRI DIVISION,
PODILI SUB-DIVISION, PRAKASAM DISTRICT
- 7.THE DIRECTOR DISTRICT MINES AND GEOLOGY OFFICER,
BLOCK NO. 58,59, OLD RIMS FLOSPITAL, OPP. PRAKASAM
BHAVAN TRUNK ROAD, ONGOLE, PRAKASAM DISTRICT
- 8.THE CHIEF PLANNING OFFICER, PRAKASAM BHAVAN,

ONGOLE

9.THE PAY AND ACCOUNTS OFFICER, WORKS AND
ACCOUNTS DEPARTMENT, ONGOLE, PRAKASAM 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 declaring the action of the respondents in not releasing the admitted first and final bills totaling Rs. 46,04,097/- (Rupees Forty Six lakhs four thousand and ninety seven only) for the executed work i.e., Construction of Road dam across Musi River at KM 6/2 of Rajampalli to East Gangavaram road of Prakasam District under L.S. Agreement C.R. No. 15/2023-24, dated 31-07-2023 vide M. Book No. 3408-KA under Chief Minister Development Fund (CMDf) Grant for an amount of Rs. 24,03,654/- (CFMS Id No. 2024-9026215) and M. Book No. 3644 - KA under District Mineral Foundation (DMF) Grant for an amount of Rs. 22,00,443/- (CFMS id No. 2024-2157359, New CFMS I o.2025-531967) as illegal, arbitrary, mala-fide, unjust and contrary to the procedure established by the law, apart from violative of Articles 14, 21 and 19(1)(g) and 300-A of the Constitution of India and consequently, direct the respondents to release the admitted first and final bills totaling Rs. 46,04,097/- (Rupees Forty Six lakhs four thousand and ninety seven only) towards the executed work of Construction of Road dam across Musi River at KM 6/2 of Rajampalli to East Gangavaram road of Prakasam District with interest @ 18 percent PA for the delayed payment forthwith.

Counsel for the Petitioner:

1.KESAVI KUMARI NEMALA

Counsel for the Respondent(S):

- 1.GP FOR ROADS BUILDINGS
- 2.GP FOR FINANCE PLANNING

The Court made the following:

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

".....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing the admitted first and final bills totaling Rs.46,04,097/- (Rupees Forty Six lakhs four thousand and ninety seven only) for the executed work i.e., Construction of Road dam across Musi River at KM 6/2 of Rajampalli to East Gangavaram road of Prakasam District under L.S. Agreement C.R. No. 15/2023-24, dated 31-07-2023 vide M. Book No. 3408-KA under Chief Minister Development Fund (CMDf) Grant for an amount of Rs.24,03,654/- (CFMS Id No.2024-9026215) and M. Book No.3644 - KA under District Mineral Foundation (DMF) Grant for an amount of Rs. 22,00,443/- (CFMS id No. 2024-2157359, New CFMS I o.2025-531967) as illegal, arbitrary, mala-fide, unjust and contrary to the procedure established by the law, apart from violative of Articles 14, 21 and 19(1)(g) and 300-A of the Constitution of India and consequently, direct the respondents to release the admitted first and final bills totaling Rs.46,04,097/- (Rupees Forty Six lakhs four thousand and ninety seven only) towards the executed work of Construction of Road dam across Musi River at KM 6/2 of Rajampalli to East Gangavaram road of Prakasam District with interest @ 18 percent PA for the delayed payment forthwith and pass such other orders....."

2. The 6th respondent-Executive Engineer, R&B Kanigiri Division, has filed counter and stated that due to budget constraints and treasury technicalities which are beyond the purview of the respondents, are unable to make payment to the petitioner herein.

3. In the present case, the respondents have not disputed the payment due to the petitioner for the work executed and the

respondents have manifested in their counter that they will pay the amount to the petitioner soon after clearance of funds. Once the work executed by the petitioner to the respondents is admitted and the payment due to the petitioner is not disputed by the respondents, there was hardly no need for this Court to refer the matter to any forum or for arbitration for passing an arbitral award assuming that any condition in the agreement to that extent. Hence, this Court directs the respondents to pay the admitted amount to the petitioner.

4. In ***The D.F.O., Sough Kheri And Ors. Vs. Ram Sanehi Singh*** reported in (1971) 3 SCC 864, the Hon'ble Apex Court held that when a State decides not to pay the dues with mala fide, with ulterior motives or arbitrarily or when the State avoids payment of the dues with mala fide, with ulterior motives, arbitrarily or when the State discriminates, while making payment dues, such a decision of the State not to pay or such an act of the State of not paying its dues cannot be said to be wholly beyond the reach of Article 226 of the Constitution of India, for asking the writ Court to do is to force the State to act in accordance with its constitutional obligation by adhering to the letter and spirit of Articles 14 and 21 of the Constitution of India.

5. In view of the above, the present Writ Petition is disposed of with the following directions:

- (a) The respondents are directed to clear the amount of Rs.46,04,097/- due to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order.
- (b) Sum due to the petitioner would mean, the sum arrived after statutory deductions. If there is any dispute regarding statutory

recoveries, the petitioner is at liberty to communicate/interfere with the respondents.

- (c) With regard to interest, the petitioner is at liberty to approach appropriate forum.

There shall be no order as to costs.

As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 02.02.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.23576 of 2025

Date: 02.02.2026

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