

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

THURSDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 9732 OF 2023

Between:

M/s. Matrix Consultants, a registered Partnership firm, represented by its Partner and Chief Architect Planner Sri. K.S. Devanand S/o. Late K. Shanmugam, Office at Second Floor, Silicon Heights, Plot No. 12, Silicon Valley Image Garden Road, Madhapur, Hyderabad - 500081

...PETITIONER

AND

1. Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC), Rep. by its Managing Director, Door No. 9-76, Sai Fortune Heights, Block -A, Vaddeswaram Village, Guntur - 522502
2. The Chief Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Vijayawada
3. The Superintending Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Guntur District, Guntur
4. The Executive Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Guntur District, Guntur
5. The Deputy Executive Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Guntur District, Guntur

...RESPONDENTS

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 appropriate writ, order or orders, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not releasing the balance amounts of Rs. 22,20,000/- (Rupees Twenty Two lakhs Twenty thousand only) together with interest at 24% per annum as per the Proc. No. AEE/Work Order/ETS/MD/APEWIDC/2017 dt. 06-12-2017 and Rc. No. DB/Work Order/APEWIDC/2017 dt. 02-02-2018 is illegal, arbitrary and violative of the principles of natural justice and violative of article 14, 15 and 21 of the constitution of India and consequently direct the respondents to settle the accounts of the petitioner.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to consider the representation dated 01-02-2023 to release payment of balance amounts of 22,20,000/- (Rupees Twenty-two



lakhs Twenty thousand only) together with interest at 24% per annum from the date of the invoice to the date of actual payment to the account of the petitioner pending disposal of the above writ petition.

Counsel for the Petitioner: SRI. GAYATHRI

Counsel for the Respondent Nos. 1 to 5: SRI. K KANAKARAJU (SC FOR APEWIDC)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.9732 OF 2023

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

"..... to issue a appropriate writ order or orders more particularly one in the nature of writ of mandamus declaring the action of the respondents in not releasing the balance amounts of Rs.22,20,000/- (Rupees Twenty Two Lakhs Twenty Thousand Only) together with interest at 24% per annum as per the Proc. No.AEE/Work Order/ETS/MD/APEWIDC/2017 dt. 06.12.2017 and Rc.No.DB/Work Order/APEWIDC/2017 dt. 02.02.2018 is illegal, arbitrary and violative of the principles of natural justice and violative of article 14, 15 and 21 of the constitution of India and consequently direct the respondents to settle the accounts of the petitioner and to pass...."

2. Heard Sri B.Balaji Sukumar, learned counsel for the petitioner and Sri K.Kanaka Raju, learned Standing Counsel for Andhra Pradesh Education & Welfare Infrastructure Development (APEWIDC) appearing for respondents.

3. Sri K.Kanaka Raju, learned Standing Counsel for Andhra Pradesh Education & Welfare Infrastructure Development (APEWIDC), on instructions, submitted that the authorities have admitted to pay the bill amount of the petitioner in due course and sought six (06) weeks' time for payment in view of magnitude of the amount. He further submitted that this Court, *vide* order dated 28.06.2022 in Writ Petition No.17411 of 2022, granted six (06) weeks' time for payment of the bill amount and prayed to consider this Writ Petition in similar lines.

4. To the said submission, learned counsel for the petitioner reported no objection.

5. In view of the above, with the consent of learned counsel for both the parties, this Writ Petition is disposed of, at admission stage, in terms of the orders passed in W.P. No.17411 of 2022 dated 28.06.2022.

6. Accordingly, the present Writ Petition is disposed of directing the respondents to release the admitted/legally entitled amount to the petitioner, at the earliest and at any rate, within a period of six (06) weeks' from the date of receipt of a copy of this order. It would be open to the petitioner to agitate its claim for interest, if any, payable by the respondents, if he is so advised, in an appropriate

forum. There shall be no order as to costs. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

S/d- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Managing Director, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC), Door No. 9-76, Sai Fortune Heights, Block -A, Vaddeswaram Village, Guntur - 522502
2. The Chief Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Vijayawada
3. The Superintending Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Guntur District, Guntur
4. The Executive Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Guntur District, Guntur
5. The Deputy Executive Engineer, Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC) Guntur District, Guntur
6. One CC to SRI. GAYATHRI Advocate [OPUC]
7. One CC to SRI. K KANAKARAJU, Advocate [OPUC]
8. Two CD Copies

csb

V. Amuradha

HIGH COURT

DATED:31/08/2023

ORDER

WP.No.9732 of 2023

9 copies

V.A.

6/11/2023



DISPOSING THE WP WITHOUT COSTS