

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATHI
(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: 20956 OF 2023

Between:

Peddi Anil Kumar, S/o. P. Srinivasa Rao Hindu, aged about 31 years Occ.
Contractor, H.no. 5-171, Pusuluru Village, Pedanandipadu Mandal, Guntur District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Panchayat Raj and Rural Water Supply and Sanitation Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary Finance and Planning Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Water Supply and Sanitation Department, Tadepalli, Guntur district, A.P.
4. The Collector and District Magistrate, East Godavari District, Kakinada.
5. Engineer-in-Chief, Rural Water Supply and Sanitation, Vijayawada, Krishna district, A.P.
6. The Superintending Engineer, Rural Water Supply and Sanitation Circle, Kakinada, East Godavari District.
7. The Executive Engineer, Rural Water Supply and Sanitation (P) Division, Rajamahendravaram, East Godavari District.

...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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying or releasing the undisputed outstanding amount of Rs.1,47,972/- which was deposited as Earnest Money deposit (EMD) and Further Security Deposit (FSD) along with interest 18 percent p.a. from the date of completion of defects liability period to till the date of realization of the said amount in respect of four contract works i.e. 1) Contract work vide an agreement no./2018-19 dated 01-12-2018 with regard to completion of contract work of 'Providing NTR RO plant at Arthamuru village of Mandapeta Mandal, East Godavari District' 2) Contract work

vide an agreement no. / 2018-19 dated 11-01-2019 with regard to completion of contract work of 'Providing NTR Sujala RO plant at Kurakallapalli Village of Rayavaram Mandal, East Godavari District' 3) Contract work vide an agreement no. /2018-19 dated 11-01-2019 with regard to completion of contract work of 'Providing NTR Sujala RO plant at West Khandriga Village of Kapileswarapuram Mandal, East Godavari District' and 4) contract work vide agreement no. /2018-19 dt. 29.10.2018 with regard to completion of contract work of 'Providing NTR Sujala RO plant at Ippanapadu village of Mandapeta Mandal, East Godavari District' as unjust, illegal, irregular, highhanded, mala fide and arbitrary, without any reason or ground and violation of principles of natural justice and violation of fundamental rights guaranteed under the Articles 14, 21 and 19 (1) (g) of the Constitution of India and consequently direct the respondents to pay or release the undisputed outstanding amount Rs.1,47,972/- which were deposited as Earnest Money deposit (EMD) and Further Security Deposit to the petitioner forthwith in the interest of justice.

IA NO: 1 OF 2023

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 pay or release the undisputed outstanding amount of Rs.1,47,972/- which was deposited as Earnest Money deposit (EMD) and Further Security Deposit (FSD) along with interest 18% p.a. from the date of completion of defects liability period to till the date of realization of the said amount in respect of four contract works i.e. 1) Contract work vide an agreement no. /2018-19 dated 01-12-2018 with regard to completion of contract work of "Providing NTR RO plant at Arthamuru village of Mandapeta Mandal, East Godavari District" 2) Contract work vide an agreement no. /2018-19 dated 11-01-2019 with regard to completion of contract work of "Providing NTR Sujala RO plant at Kurakallapalli Village of Rayavaram Mandal, East Godavari District" 3) Contract work vide an agreement no. /2018-19 dated 11-01-2019 with regard to completion of contract work of "Providing NTR Sujala RO plant at West Khandriga Village of Kapileswarapuram Mandal, East Godavari District" and 4) contract work vide agreement no. /2018-19 dt.29.10.2018 with regard to completion of contract work of "Providing NTR Sujala RO plant at Ippanapadu village of Mandapeta Mandal, East Godavari District" to the petitioner forthwith pending disposal of the writ petition.

Counsel for the Petitioner(s): SRI. NUVVULA RAM BABU

Counsel for the Respondents 1,3 & 5 to 7 : GP FOR PANCHAYAT RAJ RURAL DEV

Counsel for the Respondent No.2 : GP FOR FINANCE & PLANNING

Counsel for the Respondent No.4 : GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.20956 OF 2023

ORDER:

It is brought to the notice of this Court by the learned counsel for the petitioner that, the amounts which are sought by the petitioner were already received by the petitioner. Hence, there is nothing to adjudicate in the writ petition and prayed to close the Writ Petition.

2. Taking the submissions into consideration, the Writ Petition is closed. There shall be no order as to costs.

Consequently, miscellaneous petitions, pending if any, shall stand closed.

**SD/- U. SRIDEVI
ASSISTANT REGISTRAR**

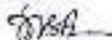
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SECTION OFFICER

To,

1. One CC to SRI. NUVVULA RAM BABU Advocate [OPUC]
2. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT]
3. Two CCs to GP FOR FINANCE & PLANNING, High Court of Andhra Pradesh. [OUT]
4. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
5. Three CD Copies

Madhu



HIGH COURT

DATED:31/08/2023

10
20/8
12-10

ORDER

WP.No.20956 of 2023



CLOSING THE WP WITHOUT COSTS