



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

MONDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE
AND
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI



WRIT APPEAL No: 706 OF 2025
along with
WRIT APPEAL Nos.702, 712, 713, 719, 720 & 734 of 2025

WRIT APPEAL No: 706 OF 2025

Writ Appeal under clause 15 of the Letters Patent Act, preferred against the order, dated 25.03.2025 made in W.P.No.7488 of 2025 on the file of the High Court.

Between:

K.P.Giddaiah, S/o. K.Maraiah, Aged about 44 years, Occ: Contractor, R/o. D.No.1-82-2, BC Colony, Pandavagallu Village, Adoni Mandal, Kurnool District.

...APPELLANT/WRIT PETITIONER

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Panchyat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer-IV, RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad, Kurnool District, Kurnool.

5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj & Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. Halvi Gram Panchayat, rep., by its Secretary, Kowthalam Mandal, Kurnool District.
8. Santhanur Gram Panchayat, rep., by its Secretary, Kosigi Mandal, Kurnool District.

...RESPONDENTS/ RESPONDENTS

IA No: 2 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 stay all further proceedings in E-Procurement Tender Notice No. ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 in so far as Operation and Maintenance of CPWS schemes namely (i) Haivi & Other Habitation and (ii) Santhanur & Other Habitations in Kurnool District in Kurnool District, pending disposal of the above Writ Appeal.

Counsel for the Petitioner: SRI V.R.REDDY KOVVURI

Counsel for the Respondent Nos.1, 2, 4, 5 & 6: SRI K.RAMA RAO, GP

FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

Counsel for the Respondent No.3: GP FOR REVENUE

Counsel for the Respondent Nos.7 & 8: SRI M.SUDHIR, SC FOR ZPP, MPP & GRAM PANCHYAT

APHC010290342025



WRIT APPEAL No: 702 OF 2025

Writ Appeal under clause 15 of the Letters Patent Act, preferred against the order, dated 28.03.2025 made in W.P.No.7830 of 2025.

Between:

K. Venkatesh, S/o. Hanumaiah, Aged about 34 years, Occ: Contractor, R/o. Pandavagallu, Kuppagallu Village Adoni Mandal, Kurnool District.

...APPELLANT/WRIT PETITIONER

AND

1. The State of A P, rep., by its Principal Secretary, Panchyat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer-IV, (RWS & S) Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad Kurnool District, Kurnool.
5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj & Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. Hanawalu Gram Panchayat, rep., by its Secretary, Adoni Mandal, Kurnool District.

...RESPONDENTS/ RESPONDENTS

IA No: 3 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 may be pleased to stay all further proceedings in E-Procurement Tender Notice No.ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 in so far as Operation and Maintenance of CPWS schemes namely Hanawalu & 06 Other Habitations in Kurnool District, pending disposal of the above Writ Appeal.

Counsel for the Petitioner: SRI V.R.REDDY KOVVURI

**Counsel for the Respondent Nos.1, 2, 4, 5 & 6: SRI K.RAMA RAO, GP
FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

Counsel for the Respondent No.3: GP FOR REVENUE

Counsel for the Respondent No.7: SRI M.SUDHIR, SC FOR ZPP, MPP & GRAM PANCHYAT

APHC010290222025



WRIT APPEAL No: 712 OF 2025

Writ Appeal under clause 15 of the Letters Patent Act, preferred against order, dated 24.03.2025 made in W.P.No.7353 of 2025.

Between:

K.Rajasekhar, S/o. K. Ranga Swamy, Aged about 38 years, Occ: Contractor, R/o. D.No. 1-1-C6, Sadapuram Village, Adoni Mandal, Kurnool District.

...APPELLANT/WRIT PETITIONER

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Panchyat Raj & Rural Development, Secretariat Buildings Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer-IV RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad, Kurnool District, Kurnool.
5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj & Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. Mandageri Gram Panchayat, rep., by its Secretary, Adoni Mandal, Kurnool District.

...RESPONDENTS/RESPONDENTS

IA NO: 2 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

stay all further proceedings in E-Procurement Tender Notice No. ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 in so far as Operation and Maintenance of CPWS schemes namely Mandageri & Other Habitations in Kurnool District, pending disposal of the above Writ Appeal.

Counsel for the Petitioner: SRI V.R.REDDY KOVVURI

**Counsel for the Respondent Nos.1, 2, 4, 5 & 6: SRI K.RAMA RAO, GP
FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

Counsel for the Respondent No.3: GP FOR REVENUE

**Counsel for the Respondent No.7: SRI M.SUDHIR, SC FOR ZPP, MPP &
GRAM PANCHYAT**

APHC010290412025



WRIT APPEAL No: 713 OF 2025

Writ Appeal under clause 15 of the Letters Patent Act, preferred against the Order, dated 27.03.2025 made in W.P.No.7777 of 2025.

Between:

D. Viswanath, S/o. D. Ramalingappa, Aged about 46 years, Occ: Contractor, R/o. D.No. 1-19, BC Colony, Sammathagiri Village, Holagunda Mandal, Kurnool District.

...APPELLANT/WRIT PETITIONER

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Panchyat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur
2. The Chief Engineer-IV, RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad, Kurnool District, Kurnool.

5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj & Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. Yellarthy Gram Panchayat, rep., by its Secretary, Holagunda Mandal, Kurnool District.

...RESPONDENTS/ RESPONDENTS

IA NO: 2 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 may be pleased to stay all further proceedings in E-Procurement Tender Notice No. ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 in so far as Operation and Maintenance of CPWS schemes namely Yellarthy & Other Habitations in Kurnool District, pending disposal of the above Writ Appeal.

Counsel for the Petitioner: SRI V.R.REDDY KOVVURI

Counsel for the Respondent Nos.1, 2, 4, 5 & 6: SRI K.RAMA RAO, GP

FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

Counsel for the Respondent No.3: GP FOR REVENUE

Counsel for the Respondent No.7: SRI M.SUDHIR, SC FOR ZPP, MPP & GRAM PANCHYAT

APHC010290432025



WRIT APPEAL No: 719 OF 2025

Writ Appeal under clause 15 of the Letters Patent Act, preferred against the order, dated 01.04.2025 made in W.P.No.8335 of 2025.

Between:

M. Balamuni Sekhar, S/o. Pedda Rangaswamy, Aged about 36 years, Occ: Contractor, R/o. D.No.1-191/1, Doddanakeri Village, Doddanakeri Mandal, Kurnool District.

**...APPELANT/WRIT PETITIONER
AND**

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Panchyat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer-IV, RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad, Kurnool District, Kurnool.
5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj & Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. Pesalabanda and Peddapendakal Gram Panchayat, rep., by its Secretary, Adoni Mandal, Kurnool District.

...RESPONDENTS/ RESPONDENTS

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 dispense with filing Certified copy of the Order, dated 01.04.2025 made in W.P.No.8335 of 2025, pending disposal of the above Writ Appeal and pass such

IA No: 3 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 stay all further proceedings in E-Procurement Tender Notice No. ATO/81 to 124/2024- 2025, dated 03.03.2025 issued by the respondent No.5 in so far as

Operation and Maintenance of CPWS schemes namely Pesalabanda and Peddapendakal & Other Habitations in Kurnool District, pending disposal of the above Writ Appeal.

Counsel for the Petitioner: SRI V.R.REDDY KOVVURI

**Counsel for the Respondent Nos.1, 2, 4, 5 & 6: SRI K.RAMA RAO, GP
FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

Counsel for the Respondent No.3: GP FOR REVENUE

**Counsel for the Respondent No.7: SRI M.SUDHIR, SC FOR ZPP, MPP &
GRAM PANCHYAT**

APHC010289312025



WRIT APPEAL No: 720 OF 2025

Writ Appeal under clause 15 of the Letters Patent Act, preferred against Order, dated 24.03.2025 made in W.P.No.7361 of 2025.

Between:

G. Ranga Reddy, S/o. G. Lakshmi Reddy, Aged about 44 years, Occ: Contractor, R/o.D.No. 1-57, Ganekal Village, Adoni Mandal, Kurnool District.

...APPELLANT/WRIT PETITIONER

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Panchyat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer-IV, RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad Kurnool District, Kurnool.
5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.

6. The Executive Engineer RWS and S, Panchayat Raj & Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. Kuppagal Gram Panchayat, rep., by its Secretary, Adoni Mandal, Kurnool District.

...RESPONDENTS/ RESPONDENTS

IA No: 2 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 stay all further proceedings in E-Procurement Tender Notice No. ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 in so far as Operation and Maintenance of CPWS schemes namely Kuppagal & Other Habitations in Kurnool District, pending disposal of the above Writ Appeal.

Counsel for the Petitioner: SRI V.R.REDDY KOVVURI

**Counsel for the Respondent Nos.1, 2, 4, 5 & 6: SRI K.RAMA RAO, GP
FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

Counsel for the Respondent No.3: GP FOR REVENUE

**Counsel for the Respondent No.7: SRI M.SUDHIR, SC FOR ZPP, MPP &
GRAM PANCHYAT**

APHC010290282025



WRIT APPEAL No: 734 OF 2025

Writ Appeal under clause 15 of the Letters Patent Act, preferred against the order, dated 25.03.2025 made in W.P.No.7602 of 2025.

Between:

K. Ayyalappa, S/o. K. Bollurappa, Aged about 43 years, Occ: Contractor, R/o. D.No. 4-55, Hebbatam Village, Holagunda Mandal, Kurnool District.

...APPELLANT/WRIT PETITIONER

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Panchyat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer-IV, RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad, Kurnool District, Kurnool.
5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj & Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. Hebbatam Gram Panchayat, rep., by its Secretary, Holagunda Mandal, Kurnool District.

...RESPONDENTS/ RESPONDENTS

IA No: 3 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 may be pleased to stay all further proceedings in E-Procurement Tender Notice No. ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 in so far as Operation and Maintenance of CPWS schemes namely Hebbatam & 08 Other Habitations in Kurnool District, pending disposal of the above Writ Appeal.

Counsel for the Petitioner: SRI V.R.REDDY KOVVURI

**Counsel for the Respondent Nos.1, 2, 4, 5 & 6: SRI K.RAMA RAO, GP
FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

Counsel for the Respondent No.3: GP FOR REVENUE

**Counsel for the Respondent No.7: SRI M.SUDHIR, SC FOR ZPP, MPP &
GRAM PANCHYAT**

The Court made the following: COMMON JUDGMENT

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

APHC010290312025

Bench
Sr.Nos:-
14, 16 to 18;
95 to 97
[3483]



Writ Appeal No: 706 of 2025
along with
Writ Appeal Nos.702, 712, 713, 719,
720 & 734 of 2025

Writ Appeal No: 706 of 2025

K. P. Giddaiah

...Appellant

Vs.

The State of Andhra Pradesh and others

...Respondents

Advocate for Appellant: Mr. V. R. Reddy Kovvuri

Advocates for Respondents: Mr. K. Rama Rao - GP for Panchayat
Raj Rural Dev, Mr. M. Sudhir (SC for
APSCCFCORP HYD)

**CORAM :THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI**

DATE : 30th June, 2025.

PER DHIRAJ SINGH THAKUR, CJ:

Since the issue involved in this set of cases is similar, we propose to dispose of the same by way of this common judgment.

2. The present batch of writ appeals have been preferred against the orders dated 24.03.2025, 25.03.2025, 27.03.2025, 28.03.2025, 01.04.2025, passed in Writ Petition Nos.7353, 7361, 7488, 7602, 7777, 7830 and 8335 of

2025. The appellants are aggrieved of the order inasmuch as the desired interim relief that was sought by the petitioners - appellants was not granted.

3. The petitioners were allotted contracts by the various Gram Panchayats in Kurnool District. The contracts were allotted pursuant to a resolution purportedly passed in a meeting of the Gram Panchayat consisting of the Sarpanch and some members of the Gram Panchayat. The value of the contracts was approximately ranging from 31 Lakhs to 81 Lakhs.

4. In the meantime, it appears that the Superintending Engineer - respondent No. 5 herein issued an N.I.T. inviting tenders from eligible parties for execution of the works, which already stood allotted by the Gram Panchayats in favour of the appellants. Being aggrieved of the action taken by the Superintending Engineer, the writ petitions were filed, wherein an interim relief was prayed for which was however not granted and hence the present Letters Patent Appeals.

5. Learned counsel for the applicants, would submit that the learned Single Judge ought to have appreciated that this was a fit case for grant of interim relief in its favour inasmuch as it was only the Gram Panchayat who could have allotted the contracts in question with a view to ensure its autonomy, which was otherwise vested in the working of the Gram Panchayat in terms of the 73rd Amendment of the Constitution of India.

6. It was urged that in terms of the Government Order bearing G.O.Rt.No.2290, dated 20.12.2012, the right to issue written orders as per the Government Order supra could be considered as a legitimate directions for undertaking the Operation and Maintenance of the Water Supply and Sanitation Schemes within a Gram Panchayat and therefore taking a cue from the aforementioned Government Order, it was sought to be emphasized that the Superintending Engineer had absolutely no right to invite tenders, which it did by virtue of the impugned action in the writ petitions.

7. Learned Government Pleader for Panchayat Raj, on the other hand, would submit that the alleged decision taken by the Gram Panchayats was not in fact a decision of the Gram Panchayats but proceedings signed only by the Sarpanch and some other members. In any case, it was highlighted that in terms of Government Order bearing G.O.Ms.No.2, dated 03.02.2014, followed by Government Order bearing G.O.Ms.No.45, dated 11.04.2023, all works and material procurement for Rs.1,00,000/- and above was to be done through the bidding process conducted through e-procurement portal of the State.

8. It is stated that earlier as per the proceedings of Director of Works Accounts, dated 07.08.2013, the e-procurement was permitted for works above the value of One Lakh Rupees only for the Departments of Transport, Roads and Buildings, Municipal Administration and Urban Development. With a view to streamline the process, it is stated that the Government came up with Government Order bearing G.O.Ms.No.2, dated 03.02.2014, wherein

uniformity was brought about by ordering that e-procurement would be followed for all departments for works and materials above the value of Rupees One Lakh. This was subsequently followed by and reiterated in Government Order No.45 dated 11.04.2023.

9. Having heard learned counsel for the parties, we are inclined to accept the contention of learned Government Pleader for Panchayat Raj and Rural Development inasmuch as the contracts valuing above One Lakh Rupees (i.e. ranging between 31 Lakhs and 81 Lakhs) have been allotted in favour of the petitioners, without considering other eligible contractors in the field, who certainly have been deprived of their right of participation. Apart from this, not resorting to the process of tendering a contract does suggest arbitrariness, especially when no reasons are forthcoming as to how the Gram Panchayats selected the petitioners- appellants herein, for execution of the contracts in question.

10. In any case, it does make sense for permitting the Gram Panchayats to procure material or allot contracts valuing One Lakh and below inasmuch as a tendering process for small procurements would entail delay which might not be worth, the expenses which may be incurred on account of the tendering process and also delay the small ticket contracts it appears for that reason alone, the Government had brought about uniformity in the matter of works and for procuring materials by virtue of the Government Orders dated 03.02.2014 and 11.04.2023.

11. We find no *prima facie* case, in favour of the appellants, in the present writ appeals, which are found to be without any merit and are accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, in these appeals shall stand closed.

Sd/- E KAMESWARA RAO
JOINT REGISTRAR
//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri V.R.Reddy Kovvuri, Advocate [OPUC]
2. Two CCs to GP for Panchayat Raj & Rural Development, High Court of Andhra Pradesh [OUT]
3. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
4. One CC to Sri M.Sudhir, SC for ZPP, MPP & Gram Panchayat. [OPUC]
5. Two CD Copies.

gl

HIGH COURT

gl

DATED:30/06/2025**COMMON JUDGMENT****WA No. 706 of 2025****along with****WA.Nos.702, 712, 713, 719, 720 & 734 OF 2025****DISMISSING THE WRIT APPEALS
WITHOUT COSTS**