



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

[3333]

SATURDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 19907/2025

Between:

1. POOLA RAJENDRA PRASAD, S/O. P. VENKATA MUNISWAMY CHETTY, AGED 62 YEARS, OCC BUSINESS, R/O. 7-37, ANNEPPA MODHALI STREET, PAPANAIDUPETA, YERPEDU, CHITTOOR DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, IRRIGATION DEPARTMENT, AP SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATHI.

2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, AP SECRETARIAT BUILDING VELAGAPUDI, AMARAVATHI.

3. THE DISTRICT COLLECTOR, TIRUPATI.

4. THE CHIEF ENGINEER, IRRIGATION AND COMMAND AREA DEVELOPMENT, CHITTOOR, CHITTOOR DISTRICT.

5. THE EXECUTIVE ENGINEER, IRRIGATION DIVISION, SRIKALAHASTI.

...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

like Writ of Mandamus declaring the action of the respondents in not releasing/withheld amount of Rs. 13,67,306/- for the works executed by the petitioner of construction of Pipe culvert and Channel walls to Panguru Ayacut near Panguru village in Yerpedu Mandal of Tirupathi District a total net amount of Rs.13,67,306/- is illegal, arbitrary and contrary to law and unconstitutional and violation of Article 14 of Constitution of India and consequently direct the respondents to release the withheld amount of Rs. 13,67,306/- along with 8PERCENT per annum to the petitioner in respect of the execution of work above forthwith and to pass

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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 take expeditious steps to process the disbursement of the withheld amount of Rs. 13,67,306/- and additional amount of 8% as per law laid down by the Hon'ble Apex Court as reported in (2021) 6 see 150 for the amount of unpaid amount on the principal due for works executed by the petitioner i.e., construction of Pipe culvert and Channel walls to Panguru Ayacut near Panguru Village in Yerpedu Mandal of Tirupathi District a total net amount of Rs.13,67,306/- pending disposal of writ petition and to pass

Counsel for the Petitioner:

1.SOORA VENKATA SAINATH

Counsel for the Respondent(S):

1.GP FOR IRRI AND CAD

2.GP FOR FINANCE PLANNING

The Court made the following:

ORDER:

The present writ petition came to be filed under Article 226 of the Constitution of India seeking the following relief:

“...to declare the action of the respondents in not releasing/withheld amount of Rs.13,67,306/- for the works executed by the petitioner of construction of Pipe culvert and Channel walls to Panguru Ayacut near Panguru Vilalge in Yerpedu Mandal of Tirupati District a total net amount of Rs.13,67,306/- is illegal, arbitrary and contrary to law and unconstitutional and violation of Article 14 of Constitution of India and consequently direct the respondents to release the withheld amount of Rs.13,67,306/- along with 8% per annum to the petitioner in respect of the execution of work above forthwith and to pass such other order or orders....”

2. The petitioner had been awarded the contract of work i.e., construction of Pipe culvert and Channel walls to Panguru Ayacut near Panguru Village in Yerpedu Mandal of Tirupati District by the Water Resources Department vide Agreement No.23 DN/2023-24. After execution of the said contract, a final bill for a sum of Rs.14,96,982/- was submitted to the 5th respondent, who in turn, sent the bill for a sum of Rs.13,67,306/- vide CFMS Bill No.2023-2612087. As the payment of the said amount has not been made by the respondents, the petitioner has approached this Court by way of this writ petition.

3. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for payment of the aforesaid amount, no payment is being made. The petitioner contends that such non-payment of money is clearly arbitrary and high-handed requiring the interference of this Court.

4. This Court, in various orders, including the judgment of a learned Single Judge of this Court dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

5. On the other hand, learned Assistant Government Pleader has furnished the instructions of 5th respondent-Executive Engineer, dated 19.08.2025 admitting the amount payable to the petitioner to a tune of Rs.13,67,306/-. He further submits that the bill was prepared and submitted to the Pay and Accounts Officer, Tirupati for payment.

6. In view of the facts and circumstances submitted in the affidavit, and the directions of this Court in various cases and after hearing the submissions of learned counsel for the petitioner, this Writ Petition is disposed of with a direction to the respondents to release the amount to the petitioner within a period of two (2) months from the date of receipt of a copy of this order.

As far as interest component is concerned, if there is any subsisting clause in the agreement/work order envisaging payment of interest upon any amount which is due and payable, the same is binding upon both the parties. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending shall stand closed.

JUSTICE V.SUJATHA

Date: 30.08.2025
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THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 19907/2025

Date:30.08.2025
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