

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 11685 OF 2023

Between:

Avula Venkata Rami Reddy, Nominee, HWC, Muraripalli, S/o.Chenchireddy,
Aged about 57 years, Occ: Cultivator, R/o. Muraripalle Village,
Yerragondapalem (M), Prakasam District, Pincode- 523327.

... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Panchayat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance & Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, Ongole, Prakasam District.
4. The Chief Engineer, Rural Water Supply and Sanitation Department, Gollapudi, Vijayawada, NTR District.
5. The Superintending Engineer, Rural Water Supply and Sanitation Department, Ongole, Prakasam District.
6. The Executive Engineer, RWS (P) Division, Podili, Prakasam District.
7. The Deputy Executive Engineer, RWS & S Division, Markapur @ Y.Palem, Prakasam District.

... Respondents

WHEREAS the Petitioner above named through his Advocate Sri Bathala Ramesh, presented this 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 of mandamus or any other appropriate writ or direction declaring the action of the Respondents in not releasing the payment of balance amounts as Rs.3,64,879/- vide MB No.745/B/19, Rs.92,000/- vide MB No.1050/B/18, Rs.1,00,000/-, Rs.92,000/-, Rs.2,09,600/-, Rs.2,72,800/- & Rs.1,85,600/- vide MB No.1381/B/19 and Rs.2,50,000/-, Rs.3,15,600/- & Rs.65,000/- vide MB No.682/B/20, even after finalizing the bills, payable to the petitioner in relation to the work i.e., Transportation of drinking water with tankers in Muraripalli Village of Yerragondapalem Mandal, vide Agreement Nos. 78/2021-22, dt.02.08.2021, 798/2020-21, dt.14.08.2020, 187/2022-23 dt.07.11.2022, 191/2022-23, dt.07.11.2022, 196/2022-23, dt.07.11.2022, 184/2022-23, dt.07.11.2022, 201/2022-23, 07.11.2022, /2022-23, dt.04.03.2023, /2022-23, dt.04.03.2023 & /2022-23, dt.04.03.2023, under SDRF Grant is questioned, as the same is illegal, arbitrary and consequently direct the respondents to consider for payment of amounts of

Rs.3,64,879/- vide MB No.745/B/19, Rs.92,000/- vide MB No.1050/B/18, Rs.1,00,000/-, Rs.92,000/-, Rs.2,09,600/-, Rs.2,72,800/- & Rs.1,85,600/- vide MB No.1381/8/19 and Rs.2,50,000/-, Rs.3,15,600/- & Rs.65,000/- vide MB No.682/B/20 with interest @24% per annum for the delayed amount to the petitioner in respect of execution of above-mentioned works forthwith;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Bathala Ramesh Advocate for the Petitioner, learned GP FOR PANCHAYAT RAJ for respondent Nos.1, 3 to 7, learned GP FOR FINANCE AND PLANNING DEPT., for respondent No.2, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Department of Finance & Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, Ongole, Prakasam District.
4. The Chief Engineer, Rural Water Supply and Sanitation Department, Gollapudi, Vijayawada, NTR District.
5. The Superintending Engineer, Rural Water Supply and Sanitation Department, Ongole, Prakasam District.
6. The Executive Engineer, RWS (P) Division, Podili, Prakasam District.
7. The Deputy Executive Engineer, RWS & S Division, Markapur @ Y.Palem, Prakasam District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 20.07.2023, on which date the case stands posted for hearing.

The Court made the following ORDER:

“Notice before admission.

Learned Government pleader for Panchayat Raj and Rural Development takes notice on behalf of Respondent Nos.1,3 to 7.

Learned Government Pleader for Finance & Planning takes notice on behalf of Respondent No.2.

Learned counsel for the respondents seeks further one (01) week time to get instructions.

At their request, post the matter on 20.07.2023.”

//TRUE COPY//

Sd/- M. PRABHAKAR RAO
ASSISTANT REGISTRAR
For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Department of Finance & Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
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5. The Superintending Engineer, Rural Water Supply and Sanitation Department, Ongole, Prakasam District.
6. The Executive Engineer, RWS (P) Division, Podili, Prakasam District.
7. The Deputy Executive Engineer, RWS & S Division, Markapur @ Y.Palem, Prakasam District.(Addressees Nos.1 to 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to SRI. BATHALA RAMESH Advocate [OPUC]
9. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh. [OUT]
11. One spare copy

KJ

HIGH COURT

RC,J

DATED:13/07/2023

POST THE MATTER ON 20.07.2023

NOTICE BEFORE ADMISSION

WP.No.11685 of 2023

