

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

WRIT PETITION NO: 1172 OF 2023

Between:

M/s.Sai Durga Manikanta Agencies, D.No.27-266, Beside Bala Sai Degree College,
Patharamannapet, Machilipatnam, Krishna District, Rep.by its Managing Partner,
Botla Rama Kanaka Durga Prasad

Petitioner**AND**

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Health, Medical and Family Welfare Department, Secretariat, Velagapudi, Guntur District.
2. State of Andhra Pradesh, Rep. by its Principal Secretary - Finance Department, Secretariat, Velagapudi, Guntur District.
3. The Andhra Pradesh Medical Service & Infrastructure Development Corporation (APMSIDC), Autonagar, Amaravati, Guntur District - 522503 Rep.by its Managing Director.
4. The District Collector, Krishna District at Machilipatnam.
5. The District Health and Medical Officer, (DM & HO), Machilipatnam, Krishna District.
6. The Executive Engineer, APMSIDC Division, Vijayawada, Krishna District.
7. The Deputy Executive Engineer, APMSIDC Sub-Division, SMC Campus, Vijayawada, NTR District.
8. The Pay and Accounts Officer, Works Accounts, Ibrahimpatnam, Vijayawada, Krishna District

Respondents

WHEREAS the Petitioner above named through its Advocate SRI.B.V.ANJANEYULU presented this Petition under Article 226 of the Constitution of India is filed 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, order or direction, declaring the action of the respondents in not making the payments for an amount of Rs.17,36,317/- (Rs.8,68,037/- and Rs.8,68,280/-) covered under the agreements No.22/EE/APMSIDC Division/Krishna District/VIJ/2021-22 and No.23/EE/ APMSIDC Division/Krishna District/VIJ/2021-22, dated 10.8.2021 for providing Medial Oxygen Gas Pipeline for 20 Beds at CHC Challapalli, Krishna District and for 20 Beds at CHC Guduru, Krishna District as

illegal, arbitrary and violation of Articles 14, 21 and 300-A of the Constitution of India and further direct the respondents to clear the bill of Rs.17,36,317/- forthwith.

AND WHEREAS the High Court of Andhra Pradesh [OUT] Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.B.V.ANJANEYULU Advocate for the Petitioner, 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 Health, Medical and Family Welfare Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Principal Secretary – Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
3. The Managing Director, Andhra Pradesh Medical Service & Infrastructure Development Corporation (APMSIDC), Autonagar, Amaravati, Guntur District – 522503.
4. The District Collector, Krishna District at Machilipatnam.
5. The District Health and Medical Officer, (DM & HO), Machilipatnam, Krishna District.
6. The Executive Engineer, APMSIDC Division, Vijayawada, Krishna District.
7. The Deputy Executive Engineer, APMSIDC Sub-Division, SMC Campus, Vijayawada, NTR District.
8. The Pay and Accounts Officer, Works Accounts, Ibrahimpatnam, Vijayawada, Krishna 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 10.02.2023, on which date the case stands posted for hearing.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Post on 10.02.2023, for filing counters.

**SD/-K.KASIRAO ACHARI
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Health, Medical and Family Welfare Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Principal Secretary - Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.

3. The Managing Director, Andhra Pradesh Medical Service & Infrastructure Development Corporation (APMSIDC), Autonagar, Amaravati, Guntur District - 522503.
4. The District Collector, Krishna District at Machilipatnam.
5. The District Health and Medical Officer, (DM & HO), Machilipatnam, Krishna District.
6. The Executive Engineer, APMSIDC Division, Vijayawada, Krishna District.
7. The Deputy Executive Engineer, APMSIDC Sub-Division, SMC Campus, Vijayawada, NTR District.
8. The Pay and Accounts Officer, Works Accounts, Ibrahimpatnam, Vijayawada, Krishna District. (1 to 8 by RPAD along with a copy of petition and affidavit)
9. One CC to SRI.B.V.ANJANEYULU Advocate [OPUC]
10. Two CCs to GP for the MEDICAL & HEALTH, High Court Of Andhra Pradesh. [OUT]
11. Two CCs to GP for the Revenue, High Court Of Andhra Pradesh. [OUT]
12. Two CCs to GP for the Finance, High Court Of Andhra Pradesh. [OUT]
13. One CC to Sri.G.V.S.Kishore Kumar, Standing Counsel [OPUC]
14. One spare copy

SRL

HIGH COURT

DEVJ

DATED:20/01/2023

NOTE: POST ON 10.02.2023, FOR FILING COUNTERS

NOTICE BEFORE ADMISSION

WP.No.1172 of 2023

