

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



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

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 17957 OF 2023**

Between:

Sri Ch Muralimohanrao, S/o Arjun Rao, Aged about 63 years, Occ:
Contractor, R/o #304, Saikalyani Residency, Srinivasanagar, Vijayawada -
520008

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Irrigation Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance & Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District
3. Andhra Pradesh State Irrigation Development Corporation Ltd, (A State Government Undertaking) Represented by Joint Managing Director, Amman estates, 3rd floor, Governorpet, Vijayawada, Krishna District, Andhra Pradesh.
4. The Superintendent Engineer, APSIDC Ltd, Guntur.
5. The Executive Engineer, APSIDC Ltd, Vijayawada.
6. The Pay and Accounts Officer, O/o The Pay and Accounts Office, Works Accounts, Vijayawada, Krishna District.
7. The Secretary, O/o AP Buildings and other construction Workers and Welfare Board. Seetharamapuram, Vijayawada.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri A. Bhaskara Chary, 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, Order or Direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the action of the Respondents in withholding the payment of net amount Rs. 19,32,351/-even after finalizing the bills, payable to the petitioner in relation to the works i.e., Renovation of Adavipalem Pumping Scheme on Krishna West bank canal in Nagayalanka Mandal on Krishna District on turnkey basis vide agreement 3/2018-19, dated 30-04-2018 and Supplemental Agreement No. 3/2018-19, dated 25-07-2018 under Pumping System as the same is illegal, arbitrary and consequently direct the respondents to consider for payment of net amount Rs. 19,32,351/- with interest for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith;

AND WHEREAS the High Court upon perusing the petition and affidavit/memorandum of grounds filed herein and upon hearing the arguments of Sri A. Bhaskara Chary, Advocate for the Petitioner, learned GP FOR IRRIGATION for respondent No.1, learned GP FOR FINANCE AND PLANNING DEPT., for respondent Nos.2 and 6, and Sri Raj Manohar, Standing Counsel for respondent Nos.3,4 & 5, 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, Irrigation Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The Principal Secretary, State of Andhra Pradesh, Department of Finance & Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District
3. The Joint Managing Director, Andhra Pradesh State Irrigation Development Corporation Ltd, (A State Government Undertaking) Amman estates, 3rd floor, Governorpet, Vijayawada, Krishna District, Andhra Pradesh.
4. The Superintendent Engineer, APSIDC Ltd, Guntur.
5. The Executive Engineer, APSIDC Ltd, Vijayawada.
6. The Pay and Accounts Officer, O/o The Pay and Accounts Office, Works Accounts, Vijayawada, Krishna District.
7. The Secretary, O/o AP Buildings and other construction Workers and Welfare Board. Seetharamapuram, Vijayawada.

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 27.07.2023, on which date the case stands posted for hearing.

The Court made the following ORDER:

"Notice before admission.

Learned Government Pleader for Irrigation Department, takes notice on behalf of respondent No.1.

Learned Government Pleader for Finance & Planning, takes notice on behalf of respondent Nos.2 and 6.

Sri Raj Manohar, learned Standing Counsel for Andhra Pradesh State Irrigation Development Corporation Limited, takes notice on behalf of respondent Nos.3, 4 and 5.

Learned counsel for the respondents sought one (01) week time for getting instructions.

At their request, post the matter on 27.07.2023, in the motion list."

//TRUE COPY//

**Sd/- T. MADHAVI
ASSISTANT REGISTRAR**

For SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Irrigation Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The Principal Secretary, State of Andhra Pradesh, Department of Finance & Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District
3. The Joint Managing Director, Andhra Pradesh State Irrigation Development Corporation Ltd, (A State Government Undertaking) Amman estates, 3rd floor, Governorpet, Vijayawada, Krishna District, Andhra Pradesh.
4. The Superintendent Engineer, APSIDC Ltd, Guntur.
5. The Executive Engineer, APSIDC Ltd, Vijayawada.
6. The Pay and Accounts Officer, O/o The Pay and Accounts Office, Works Accounts, Vijayawada, Krishna District.
7. The Secretary, O/o AP Buildings and other construction Workers and Welfare Board. Seetharamapuram, Vijayawada. (Addressees Nos.1 to 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to SRI. A BHASKARA CHARY Advocate [OPUC]
9. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh. [OUT]
10. One CC to Sri Raj Manohar, Standing Counsel [OPUC]
11. Two CCs to GP FOR IRRIGATION COMM AREA DEV, High Court of Andhra Pradesh. [OUT]
12. One spare copy

KJ

HIGH COURT

RCJ

DATED:20/07/2023

POST ON 27.07.2023, IN THE 'MOTION LIST'

NOTICE BEFORE ADMISSION

WP.No.17957 of 2023

