

[3332]

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)
FRIDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND TWENTY THREE
:PRESENT:
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 18189 OF 2023**



Between:

Shaik Kadiyala John, S/o Chinna Mastan, Aged 59 years, Contractor, R/o. D.No.12-39, Chinna Bavi Center, Gurazala Village and Mandal, Guntur District (Now Palnadu).

Petitioner

AND

1. The State of AP, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The State of AP, Rep. by its Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Superintending Engineer, , Panchayat Raj Circle, Guntur, Guntur District.
4. The Executive Engineer, PRI Division, Narasaraopet, Guntur District.
5. The Assistant Pay and Accounts, Lingamguntla, Narasaraopet, Guntur District.
6. The Mittagudipadu Gram Panchayat, Rep. by its Panchayat Secretary, Mittagudipadu Village, Rentachintala Mandal, Guntur District.
7. The Manchikallu Gram Panchayat, Rep. by its Panchayat Secretary, Manchikallu Village, Rentachintala Mandal, Guntur District.
8. The Tumrukota Gram Panchayat, Rep. by its Panchayat Secretary, Tumrukota Village, Rentachintala Mandal, Guntur District

Respondents

WHEREAS the Petitioner above named through his Advocate Sri MANIKANTA THOTA 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 an appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus declaring the action, things and deeds of Respondents in not paying the contract bill amount to the Petitioner i.e., Rs. 7,33,031/- (Rupees Seven Lakhs Thirty Three Thousand Thirty One Only) for Construction of CC roads in Mittagudipadu Village, Manchikallu Village, Tumrukota Village of Rentachintala Mandal, Guntur District (Now Palnadu), which is illegal, irregular, arbitrary, unconstitutional, against to the Principles of Natural Justice and in violation of Articles 14 and 21 of the Constitution of India, consequently direct the Respondents to pay the total contract bill amount of Rs. 7,33,031/- (Rupees Seven Lakhs Thirty Three Thousand Thirty One Only) along with interest for the work carried by the Petitioner .

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri MANIKANTA THOTA Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ for Respondent Nos.1 , 3 and 4, GP

FOR FINANCE AND PLANNING for Respondent Nos. 2 and 5, Sri G VENKATA REDDY, Standing Counsel for Respondent Nos. 6 to 8 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, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, Department of Finance and Planning, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Superintending Engineer, , Panchayat Raj Circle, Guntur, Guntur District.
4. The Executive Engineer, PRI Division, Narasaraopet, Guntur District.
5. The Assistant Pay and Accounts, Lingamgunta, Narasaraopet, Guntur District.
6. The Panchayat Secretary, Mittagudipadu Gram Panchayat, Mittagudipadu Village, Rentachintala Mandal, Guntur District.
7. The Panchayat Secretary, Manchikallu Gram Panchayat, Manchikallu Village, Rentachintala Mandal, Guntur District.
8. The Panchayat Secretary, Tumrukota Gram Panchayat, Tumrukota Village, Rentachintala Mandal, Guntur 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 28.07.2023, on which date the case stands posted for hearing.

The Court made the following: ORDER

"Notice before admission.

Learned Government Pleader for Panchayat Raj & Rural Development takes notice on behalf of respondent Nos.1, 3 and 4.

Learned Government Pleader for Finance & Planning takes notice on behalf of respondent Nos.2 and 5.

Sri G. Venkata Reddy, learned Standing Counsel for Gram Panchayats takes notice on behalf of respondent Nos.6 to 8.

For instructions, post on 28.07.2023 in the 'motion list'."

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

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.

2. The Principal Secretary, Department of Finance and Planning, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Superintending Engineer, Panchayat Raj Circle, Guntur, Guntur District.
4. The Executive Engineer, PRI Division, Narasaraopet, Guntur District.
5. The Assistant Pay and Accounts, Lingamguntla, Narasaraopet, Guntur District.
6. The Panchayat Secretary, Mittagudipadu Gram Panchayat, Mittagudipadu Village, Rentachintala Mandal, Guntur District.
7. The Panchayat Secretary, Manchikallu Gram Panchayat, Manchikallu Village, Rentachintala Mandal, Guntur District.
8. The Panchayat Secretary, Tumrukota Gram Panchayat, Tumrukota Village, Rentachintala Mandal, Guntur District. (Addressess 1 to 8 by RPAD- along with a copy of petition and affidavit)
9. One CC to SRI. MANIKANTA THOTA Advocate [OPUC]
10. One CC to SRI. G VENKATA REDDY Advocate [OPUC]
11. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
12. Two CCs to GP FOR FINANCE AND PLANNING ,High Court Of Andhra Pradesh. [OUT]
13. One spare copy.

psk

HIGH COURT

RCJ

DATED:21/07/2023

POST ON 28.07.2023 IN MOTION LIST

NOTICE BEFORE ADMISSION

WP.No.18189 of 2023

