

[3332]

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

THURSDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 19392 OF 2023**

Between:

P. Malyadri Reddy, S/o.P Malakonda Reddy, Aged about 60 years, Occ. Cultivator,
R/o. Near Sai baba temple, Kaligiri (V and M), SPSR Nellore District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Panchayat Raj and Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, Nellore, SPSR Nellore District.
4. The Executive Engineer, PRI Division, Kavali, SPSR Nellore District.
5. The Panchayat Secretary, Kaligiri Gram Panchayat, Kaligiri Mandal, SPSR Nellore District.
6. The Mandal Parishad Development Officer, Kaligiri, Kaligiri Mandal, SPSR Nellore 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 not releasing the deposit amounts as Rs.23,011/- vide M Book No.625-C, Rs.22,543/- vide M Book No.7591-B, Rs.23,095/- vide M Book No.7589-B, Rs.22,417/- vide M Book No.7599-B & Rs.23,292/- vide M Book No.629-C, even after completion of defect liability period, refund payable to the petitioner in relation to the works i.e., Construction of CC roads and under ground drainage works in Kaligiri Gram Panchayat of Kaligiri Mandal of SPSR Nellore District under MGNREGS Convergence Grant is questioned, as the same is illegal, arbitrary and consequently direct the respondents to release the deposit amounts as Rs.23,011/- vide M Book No.625-C, Rs.22,543/- vide M Book No.7591-B, Rs.23,095/- vide M Book No.7589-B, Rs.22,417/- vide M Book No.7599-B & Rs.23,292/- vide M Book No.629-C, to the petitioner in respect of above-mentioned work 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, and of Government Pleader for Panchayat Raj & Rural Development for the respondent Nos.1, 3 & 4, and of Government Pleader for

Finance for the respondent No.2, and of Sri G.Venkata Reddy, Standing Counsel for Gram Panchayat for the respondent Nos.5 & 6, 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, State of Andhra Pradesh, Secretariat Buildings, 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 District Collector, Nellore, SPSR Nellore District.
4. The Executive Engineer, PRI Division, Kavali, SPSR Nellore District.
5. The Panchayat Secretary, Kaligiri Gram Panchayat, Kaligiri Mandal, SPSR Nellore District.
6. The Mandal Parishad Development Officer, Kaligiri, Kaligiri Mandal, SPSR Nellore 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 10.08.2023.

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 & 4.

Learned Government Pleader for Finance takes notice on behalf of respondent No.2.

Sri G.Venkata Reddy, learned Standing Counsel for Gram Panchayat takes notice on behalf of respondent Nos.5 & 6.

For instructions, post the matter on 10.08.2023, in the motion list."

//TRUE COPY//

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

To,

1. The Principal Secretary, Panchayat Raj and Rural Development, State of Andhra Pradesh, Secretariat Buildings, 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 District Collector, Nellore, SPSR Nellore District.
4. The Executive Engineer, PRI Division, Kavali, SPSR Nellore District.
5. The Panchayat Secretary, Kaligiri Gram Panchayat, Kaligiri Mandal, SPSR Nellore District.
6. The Mandal Parishad Development Officer, Kaligiri, Kaligiri Mandal, SPSR Nellore District. **(Addresses 1 to 6 by RPAD- along with a copy of petition and memorandum of grounds)**
7. One CC to SRI. BATHALA RAMESH, Advocate [OPUC]
8. One CC to Sri G.Venkata Reddy, learned Standing Counsel for Gram Panchayat. [OPUC]
9. Two CCs to Government Pleader for Panchayat Raj & Rural Development, High Court Of Andhra Pradesh. [OUT]
10. Two CCs to Government Pleader for Finance, High Court Of Andhra Pradesh. [OUT]
11. One spare copy

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HIGH COURT

RC,J

DATED:03/08/2023

POST THE MATTER ON 10.08.2023

NOTICE BEFORE ADMISSION

WP.No.19392 of 2023

