

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 20225 OF 2023



Between:

V Naga Raju, S/o Venkatesh, Aged. 45 years, Occ. Business, R/o. Kotachambagiri Village, Gudupalli Mandal, Chittoor District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Commissioner, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, NH -16, Tadepalli, Guntur District.
3. The District Collector, (Panchayat Wing), Chittoor, Chittoor District.
4. The Executive Engineer, RWS and S Division, Panchayat Raj Department, Palamaner, Chittoor District.
5. The Deputy Executive Engineer, RWS and S Sub-Division, Kuppam, Chittoor District.
6. The Assistant Executive Engineer, RWS and S Division, Gudupalli Mandal, Chittoor District.
7. The Gram Panchayat, Rep. by its Executive Authority- cum- Panchayat Secretary, Kuppuganipalle Village, Gudupalli Mandal, Chittoor District.
8. The State of Andhra Pradesh, Rep by its, Principal Secretary, Department of Finance and Planning, Secretariat, Velagapudi, Guntur District

...Respondents

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 declaring the action of respondents in non-compliance of funds with the M-Book No (i). M. Book No 6797-A for construction of drain at Kotachambagiri (from Subrahmanyam house to MPP School), providing pipeline to Rajamma house to lakshamma house, providing new panel board to the RWS Scheme pumpset repairs to PWS scheme of Kuppuganipalle Village, Gudupalli Mandal, Chittoor District under 14th finance commission funds at Kotachambagiri of Kuppuganipalle village of Gudupalli Mandal in Chittoor district as illegal, irregular, arbitrary, violative of Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents to pay the amounts with interest as per the aforesaid Measurement Book Numbers under the 14th finance commission funds, forthwith to the petitioner.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to pay the amounts payable to the petitioner regarding works

executed by the petitioner with the M-Book No (i). M.Book No.6797-A for construction of drain at Kotachambagiri (from Subrahmanyam house to MPP School), providing pipeline to Rajamma house to lakshamma house, providing new panel board to the RWS Scheme pumpset repairs to PWS scheme of Kuppuganipalle Village, Gudupalli Mandal, Chittoor District under 10 finance commission funds at Kotachambagiri of Kuppuganipalle village of Gudupalli Mandal in Chittoor district with the total cost of Rs. 1,51,258/- for the aforesaid works, Pending disposal of WP 20225 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 09.08.2023 made herein and upon hearing the arguments of Sri Souri Babu Duppati Advocate for the Petitioner, Assistant GP for Panchayat Raj Department for the respondent Nos. 1 to 6, Sri G. Venkata Reddy, Standing Counsel for the respondent No.7 and of Assistant GP for Finance & Planning for the respondent No.8, the court made the following

ORDER:

"Sri G. Venkata Reddy, learned Standing Counsel for Gram Panchayat, sought further one (01) week time to get instructions. Though the matter is posted finally today, he could not place the instructions.

However, for adjudicating the matter, this Court is inclined to give one more opportunity for getting instructions.

Post the matter on 05.09.2023. In the meantime, if the instructions are not placed before this Court the Secretary concerned has to appear before this Court."

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Executive Authority- cum- Panchayat Secretary, Gram Panchayat, Kuppuganipalle Village, Gudupalli Mandal, Chittoor District. (BY SPEED POST)
2. The Principal Secretary to Government, State of Andhra Pradesh, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravati, Guntur District.
3. The Principal Secretary, State of Andhra Pradesh, Department of Finance and Planning, Secretariat, Velagapudi, Guntur District
4. The Commissioner, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, NH -16, Tadepalli, Guntur District.
5. The District Collector, (Panchayat Wing), Chittoor, Chittoor District.

6. The Executive Engineer, RWSandS Division, Panchayat Raj Department, Palamaner, Chittoor District.
7. The Deputy Executive Engineer, RWS andS Sub-Division, Kuppam, Chittoor District.
8. The Assistant Executive Engineer, RWS and S Division , Gudupalli Mandal, Chittoor District. (2 to 8 by RPAD)
9. One CC to Sri. Souru babu duppati Advocate [OPUC]
10. Two CCs to GP for Panchayat Raj, High Court of Andhra Pradesh. [OUT]
11. One CC to Sri. G. Venkata Reddy, Standing Counsel [OPUC]
12. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
13. One spare copy

HIGH COURT

RCJ

DATED:28/08/2023

POST THE MATTER ON 05.09.2023

ORDER

WP.No.20225 of 2023

THE MATTER ON 05.09.2023

DIRECTION

