Date of reserved for orders :
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APHC010422552026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 23387/2026

Between:

1. GOPA SATYA MADHAVA SUBBARAO, S/O.G.S.R.V.P.S. NARAYANA,AGED ABOUT 44 YEARS OCCUPATION CONTRACTOR,R/O H.NO. 3-350, VEERAVASARAM MANDALAM,MATYAPURI ROAD, VEERAVASARAM, WEST GODAVARI DISTRICT - 534 245.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH-522237.
2. STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF HOUSING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT-522237.
3. STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY,DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS,VELAGAPUDI, AMARAVATI, GUNTUR

DISTRICT-522237.

4. THE MANAGING DIRECTOR, AP STATE HOUSING CORPORATION (APSHCL), VIJAYAWADA, NTR DISTRICT-520002.

5. THE DISTRICT COLLECTOR, WEST GODAVARI DISTRICT, BHIMAVARAM-534201.

6. THE DIVISIONAL HEAD HOUSING, STATE HOUSING CORPORATION(APSHCL), BHIMAVARAM DIVISION, WEST GODAVARI DISTRICT-534201

7. THE EXECUTIVE ENGINEER, AP STATE HOUSING CORPORATION (APSHCL), BHIMAVARAM, WEST GODAVARI DISTRICT-534201.

8. THE DEPUTY EXECUTIVE ENGINEER, AP STATE HOUSING CORPORATION (APSHCL), BHIMAVARAMSUB-DIVISION,WEST GODAVARI DISTRICT-534201.

9. THE ASSISTANT ENGINEER, AP STATE HOUSING CORPORATION (APSHCL), VEERAVASARAM, WEST GODAVARI DISTRICT-534245.

...RESPONDENT(S):

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 toissue a Writ, Order, or Direction more particularly one in the nature of WRIT OF MANDAMUSor any other appropriate writ or direction declaring the action of the respondents in not releasing the payments of Rs. 21,01,972/-, 1) Amount of Rs. 4,35,237/-, in respect of NAVARATNALU PEDALANDARAKI ILLU work for Formation of 2nd dose Levelling Bit-1 at Vaddigudem layout in Vaddigudem Village of Veeravasaram Mandal, vide its M. Book No.154/2022-23/APSHCL/DVH,BVRM, 2) Amount of Rs. 4,35,237/-, in respect of NAVARATNALU PEDALANDARAKI ILLU work for Formation of 2nd dose Levelling Bit-2 at Vaddigudem layout in Vadigudem Village of Veeravasaram Mandal, vide its M. Book No.155/2022-23/APSHCL/DVH,BVRM, 3) Amount of Rs. 4,00,471/-, in respect of NAVARATNALU PEDALANDARAKI ILLU work for Formation of 2nd dose Levelling Bit-3 at Vaddigudem layout in Vad ligudem Village of Veeravasaram Mandal, vide its M. Book No.156/2022-23/APSHCL/DVH,BVRM, 4) Amount

of Rs. 4,22533/-, in resplect of NAVARATNALU PEDALANDARAKI ILLU work for Formation of 2nd dose Levelling Bit-4 at Vaddigudem layout in Vaddigudem Village of Veeravasaram Mandal, vide its M. Book No.157/2022-23/APSHCL/DVH,BVRM, 5) Amount of Rs. 4,08,494/-, in respct of NAVARATNALU PEDALANDARAKI ILLU work for Formation of 2nd dose Levelling Bit-5 at Vaddigudem layout in Vaddigudem Village of Veeravasaram Mandal, vide its M. Book No.158/2022-23/APSHCL/DVH,BVRM., is as illegal, arbitrary and violative of Art 14 and 21 of Constitution of India and consequently direct the respondent authorities to release Rs. 21,01,972/- GSTforthwith for the above said works executed by the petitioner

IA NO: 1 OF 2026

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 direct respondents to consider for payment of amount of Rs. 21,01,972/- + GST for the works executed by the petitioner for Filling of Low-lying Lands in YSR Jagananna layout colonies of West Godavari District i.e., pending disposal of the main Writ Petition

Counsel for the Petitioner:

1. ANNAMNEEDI BALAKRISHNA

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. MALLIKHARJUNA MOORTHY K (SC FOR A.P HOUSING CORPORATION LIMITED)
3. GP FOR FINANCE PLANNING
4. GP FOR HOUSING

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.23387 OF 2026

ORDER:

1. The petitioner had been awarded the contract of work(s) under the subject scheme in West Godavari District. After execution of the said contract, a final bill was prepared for a sum of Rs.21,01,972/- as per the sanctioned orders. As the payment of the said amount has not been made by the respondents, the petitioner has approached this Court by way of this writ petition.

2. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for payment of the said amount, but no payment is being made. The petitioner contends that such non-payment of money is clearly arbitrary and high-handed requiring the interference of this Court.

3. This Court, in various orders, including the judgment of a learned Single Judge of this Court dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

4. On the other hand, learned Standing Counsel has placed on record the written instructions dated 06.11.2026 received from the District Head –

Housing, Krishna District, Andhra Pradesh State Housing Corporation Limited, admitting net amount of Rs.16,87,390/-, as per the M.Book, payable to the petitioner. But, the subject bill was not uploaded for payment. Soon after uploading of the bill, the said will be paid to the petitioner.

5. In view of the aforesaid directions of this Court in various cases and after hearing the submissions of learned counsel for the petitioner, learned Standing Counsel, this Writ Petition is disposed of with a direction to the respondents to release the net amount of Rs.16,87,390/- to the petitioner within a period of three (03) months. It would also be open to the petitioner to agitate his claim for differential amount, if any payable by the respondents, in an appropriate forum. There shall be no order as to costs. No order as to costs.

6. In fact there is no admission by the Respondents either in their Written Instructions regarding the payment of interest component or by oral submissions made by the Government Pleader/Standing Counsel for Respondents. Much less, the interest component as claimed by the petitioner was neither admitted nor approved at their final bills of the respondents. Hence, in the absence of any such admission, this Court is not inclined to grant any specific amount as it admitted under the head of interest. However, the Petitioner is entitled for interest component as per the terms of Agreement if permits and also in the case of delayed payments, as per the ratio laid down

by the Division Bench of this Court in W.A.No.724 of 2021. Therefore, the respondents are hereby directed to pay admitted amount within a period of four months from the date of receipt of copy of this order. As far as interest is concerned, if both parties have agreed regarding the quantum of amount towards interest, the same should be paid along with admitted amount, if not, petitioner is at liberty to submit a representation or a Memo of Statement requesting for payment of interest. If petitioner is entitled for the same, after such submission of representation or Memo, the concerned respondent authorities shall consider and pass appropriate orders after providing opportunity of hearing to both parties in case of rejection or reduction of interest amount claimed by the petitioner, within a period of four (04) weeks thereafter.

7. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VENKATESWARLU NIMMAGADDA, J

Date: 06.11.2026

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THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.23387 OF 2026

Date:06.11.2026

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