

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 9581 OF 2022

Between:

V.Ramaiah, S/o. V.Natarajan, age about 55 years, Occ: Contractor, R/o. H.No.5-6, Ramapuram of, Budithireddypalli Village, Yadamarri Mandal, Chittoor District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Irrigation and CAD, Secretariat Buildings, Velagapudi, Amaravathi.
2. The Engineer in Chief, Irrigation and CAD, D.No.48-10-9/1, NH Feeder Road, Currency Nagar, Vijayawada, Krishna District.
3. The District Collector, Chittoor District at Chittoor.
4. The Executive Engineer, Irrigation and CAD, Chittoor Division, Chittoor District.
5. The Pay and Accounts Officer, (Works and Projects), Chittoor District, Chittoor

...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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in non-compliance of payment of Rs.6,72,013/- under M.Book No.678-B, including quality control holding amounts, for the works done by the petitioner for repairs to check dam across local vagu near Budithireddypalli Village in Yadamarri Mandal, Chittoor District, as illegal, arbitrary, violation of principles of natural justice, contrary to the Rules and

Regulations there under and consequently direct the respondents to pay an amount of Rs.6,72,013/- under M.Book No.678-B, including quality control holding amounts, and pass

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to release the funds through a proper channel for payment of Rs.6,72,013/- under M.Book No.678- B, including quality control holding amounts, pending disposal of the writ petition.

Counsel for the Petitioner : SRI K. V. L. NARASIMHA RAO

**Counsel for the Respondent Nos.1 to 4 : GP FOR IRRIGATION &
COMMAND AREA DEVELOPMENT**

Counsel for the Respondent No.5 : GP FOR FINANCE AND PLANNING

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO.9581 OF 2022

ORDER:

1. Heard learned counsel for the petitioner and learned Government Pleader for the respondents.
2. When the matter is taken up for hearing, learned Government Pleader for Finance and Planning, on oral instructions submitted that respondent authorities paid the total due amount claimed by the petitioner.
3. On the other hand, learned counsel for the petitioner submits that the respondents paid the principal amount, but not paid the interest as claimed by the petitioner and the contempt proceedings initiated in **C.C.No.5205 of 2022** was also closed.
4. In view of the submissions made by the learned counsel for the petitioner and learned Government Pleader that that the principal amount was already paid as claimed by the petitioner, contempt proceedings were closed and also the contention of the learned Government Pleader that the further claim of interest for delayed

payment can be agitated by way of initiation of separate/fresh legal proceedings is also valid and sustainable.

5. In view of the facts and circumstances and for the reasons stated above, the present Writ Petition is dismissed as infructuous, granting liberty to the petitioner to claim differential amount/withheld amount or interest amount, if any, by way of initiation of fresh/separate legal proceedings in accordance with law. No costs.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

//TRUE COPY//

SD/- P.U.V.BHASKARA RAO
ASSISTANT REGISTRAR

CH
SECTION OFFICER

To,

1. One CC to Sri K. V. L. Narasimha Rao, Advocate [OPUC]
2. Two CCs to GP for Irrigation & Command Area Development, High Court of Andhra Pradesh. [OUT]
3. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
4. Three C.D. Copies.

Cnr

HIGH COURT

DATED:19/02/2024

ORDER

WP.No.9581 of 2022



**DISMISSING THE W.P. AS INFRUCTUOUS
WITHOUT COSTS**