

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)



FRIDAY, THE TWENTY EIGHTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 7830 OF 2025

Between:

K. Venkatesh, S/o. Hanumaiah, Aged about 34 years, Occ: Contractor,
R/o. Pandavagallu, Kuppagallu Village, Adoni Mandal, Kurnool District.

Petitioner

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Panchayat Raj & Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer-IV, RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, Zilla Parishad, Kurnool District, Kurnool.
5. The Superintending Engineer, (RWS & S) Panchayat Raj & Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj and Rural Development, Kurnool Division, Kurnool, Kurnool District.

7. Hanawalu Gram Panchayat, rep., by its Secretary, Adoni Mandal, Kurnool District.

Respondents

Petition under Article 226 of the Constitution of India is filed 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 Tender Notice No. ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 inviting tenders through E-Procurement for Operation and Maintenance of CPWS schemes namely Hanawalu & 06 Other Habitations in Kurnool District for the year, 2025-2026 with Tender ID. 790151, as one without power, illegal, contrary to the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and the guidelines issued through Manual for the utilization of the 15th Finance Commission tied grant to Rural Local Bodies/Panchayat Raj Institutions for Water and Sanitation and also the guidelines being issued by the respondent No.1 from time to time particularly through G.O.Rt.No.2290, Panchayat Raj and Rural Development (RWS.I), Department, dated 20.12.2012 apart from being violative of the fundamental rights guaranteed to us under Articles 14, 19 and 21 of the Constitution of India and consequently, set aside the same in so far as E-Procurement for Operation and Maintenance of CPWS schemes namely Hanawalu & 06 Other Habitations in Kurnool District for the year, 2025-2026 with Tender ID.790151 is concerned.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in E-Procurement Tender Notice No. ATO/81 to 124/2024-2025, dated 03.03.2025 issued by the respondent No.5 in so far as Operation and Maintenance of CPWS schemes namely Hanawalu & 06 Other Habitations in Kurnool District, Pending disposal of WP 7830 of 2025, 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 upon hearing the arguments of Sri Rupeshwar Reddy, learned counsel representing Sri V R REDDY KOVVURI Advocate for the Petitioner, GP FOR PANCHAYAT RAJ RURAL DEV for the Respondent Nos.1, 2, 5 & 6; GP FOR REVENUE for the Respondent No.3; Sri M. Sudhir, Standing Counsel for the Respondent Nos.4 & 7 and the Court made the following.

ORDER:

“Heard Sri Rupeshwar Reddy, learned counsel representing Sri V.R.Reddy Kovvuri, learned Counsel for the Writ Petitioner, Sri Panku Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj, Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue.

2. Having regard to the nature of these cases, this Court is of the view that counters are required in the present matters. Nevertheless, as there is an element of urgency in these matters, let Counters be filed within two weeks.

3. It is indicated that no further time will be granted.

4. If Counters are not filed within the time granted, this Court shall deem that the Official Respondents have no explanation to offer, and this Court may proceed ex parte.

5. It is indicated that the proposed tenders shall be subject to the final outcome of the Writ Petitions.

6. Tag these Writ Petitions along with Writ Petition No.7279 of 2025 and list these matters on 09.04.2025.”

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary, Panchyat Raj & Rural Development, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.[By Special Messenger]
2. The Chief Engineer-IV, RWS & S Department, C-Block, Vasudha Towers, Saipuram Colony, Gollapudi, Vijayawada, Krishna District.
3. The District Collector, Kurnool District, Kurnool.
4. The Chief Executive Officer, ZillaParishad, Kurnool District, Kurnool.
5. The Superintending Engineer, (RWS and S) Panchayat Raj and Rural Development, Kurnool, Kurnool District.
6. The Executive Engineer (RWS & S), Panchayat Raj and Rural Development, Kurnool Division, Kurnool, Kurnool District.
7. The Secretary, Hanawalu Gram Panchayat, Adoni Mandal, Kurnool District.(2 to 7 by RPAD)
8. One CC to SRI. V R REDDY KOVVURI Advocate [OPUC]
9. One CC to Sri M. Sudhir, Standing Counsel [OPUC]
10. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
11. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
12. **One spare copy**

HIGH COURT

GRKP,J

DATED:28/03/2025

Tag these Writ Petitions along with Writ Petition No.7279 of 2025 and list these matters on 09.04.2025

ORDER

WP.No.7830 of 2025

DIRECTION

