

(SHOW CAUSE NOTICE BEFORE ADMISSION) —
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)
FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO



:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
WRIT PETITION NO: 12516 OF 2022

Between:

The President, WUA No.01, G.Singavaram, Rep. by its President B Chinna Narayana, S/o. B Nadipi Thimappa, Aged about 63 years, Occ. Contractor, R/o.H.No.2-11, Edurur, Kurnool District, Pincode. 518004.

... Petitioner

AND

1. The State Of Andhra Pradesh, Rep. by its Special Chief Secretary, Department of Irrigation (Water Resources Department), 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 Superintendent Engineer, Irrigation Circle, Kurnool, Kurnool District.
4. The Executive Engineer, W.R.D., K.C.Canal Division, Nandyal, Kurnool District.
5. The Chief Executive Officer, AP CFMS Office, 6th Floor, C-Block, Anjaneya Towers, Ibrahimpatnam, Krishna 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 may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the Respondents in withholding the payment of net balance amount Rs.7,65,239/- vide CFMS ID number 2019-284426, even after finalizing the bills, payable to the petitioner in relation to the works i.e., Desilting and jungle clearance of Myalakamanu vanka from km 4.00 to 5.00 of Ulchala road, vide Agreement No.1802/2018-19, dated 29.10.2018 is questioned, as the same is illegal, arbitrary and consequently direct the respondents to consider for payment of amounts of Rs.7,65,239/- vide CFMS ID number 2019-284426 with interest @24percent per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith.

AND WHEREAS the High Court upon perusing the petition and affidavit herein and upon hearing the arguments of Sri BATHALA RAMESH Advocate for the Petitioner and GP for Finance for Respondent Nos.2 & 5-and GP for Irrigation for Respondent Nos. 1, 3 and 4 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 Special Chief Secretary, Department of Irrigation (Water Resources Department), Secretariat Buildings, Velagapudi, State Of Andhra Pradesh, Amaravathi, Guntur District.
2. The Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, State Of Andhra Pradesh, Guntur District.
3. The Superintendent Engineer, Irrigation Circle, Kurnool, Kurnool District.
4. The Executive Engineer, W.R.D., K.C.Canal Division, Nandyal, Kurnool District.
5. The Chief Executive Officer, AP CFMS Office, 6th Floor, C-Block, Anjaneya Towers, Ibrahimpatnam, Krishna 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 01-09-2022 on which date the case stands posted for hearing

IA NO: 1 OF 2022

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 consider for payment of amount of Rs.7,65,239/- vide CFMS ID number 2019-284426 with interest @24percent per annum for the delayed amount to the petitioner in respect of execution of works i.e. Desilting and jungle clearance of Myalakamanu vanka from km 4.00 to 5.00 of Ulchala road, vide Agreement No.1802/2018-19, dated 29.10.2018, forthwith, pending disposal of the Writ Petition and pass such, pending disposal of WP No. 12516 of 2022, on the file of the High Court.

**The Court made the following:
ORDER:**

"Notice before admission. —

Post on 01.09.2022. —

The respondent authorities shall pay the amounts due to the petitioner within four (04) weeks from today." —

**Sd/- M. PRABAKAR RAO
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Chief Secretary, Department of Irrigation (Water Resources Department), Secretariat Buildings, Velagapudi, State Of Andhra Pradesh, Amaravathi, Guntur District.
2. The Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, State Of Andhra Pradesh, Guntur District.
3. The Superintendent Engineer, Irrigation Circle, Kurnool, Kurnool District.
4. The Executive Engineer, W.R.D., K.C.Canal Division, Nandyal, Kurnool District.
5. The Chief Executive Officer, AP CFMS Office, 6th Floor, C-Block, Anjaneya Towers, Ibrahimpatnam, Krishna District. (1 to 5 by RPAD- along with a copy of petition and memorandum of grounds)
6. One CC to SRI. BATHALA RAMESH Advocate [OPUC]
7. Two CCs to GP FOR IRRIGATION COMM AREA DEV, High Court Of Andhra Pradesh. [OUT]
8. Two CCs to GP FOR FINANCE, High Court Of Andhra Pradesh. [OUT]
9. **One spare copy**
PR

HIGH COURT

RRRJ

DATED:17/06/2022

POST ON 01.09.2022

NOTICE BEFORE ADMISSION

WP.No.1516 of 2022

DIRECTION

