

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

WEDNESDAY, THE TWENTY SIXTH DAY OF JULY  
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA



WRIT PETITION NO: 19144 OF 2021

**Between:**

The Janma Bhoomi Maaviiru Committee, rep. by its Chairmen namely Ghanta Ramachandhra rao S/o Nagabhushanam, Aged about 70 years, R/o 3-45, East Yadavalli, Kamavarapukota Mandal, West Godavari Dist.

...PETITIONER

AND

1. The Government of Andhra Pradesh, rep. by its Principal Secretary Irrigation and Water Resources Department, Secretariat Buildings Amaravati.
2. The Government of Andhra Pradesh, rep. by its Principal Secretary, Finance department, Secretariat, buildings Amaravati.
3. The District Collector, West Godavari District, Eluru.
4. The Engineer in Chief, Minor/Major Irrigation Department Irrigation Bhavan, Vijayawada, Krishna Dist.
5. The Superintendent Engineer, Irrigation circle office, Eluru, West Godavari Dist.
6. The Executive Engineer, Irrigation Division, Eluru West Godavari Dist.

...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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus to declaring the inaction on the part of the respondents here in not releasing the bills amount worth of Rupees 7,03,171/-with interest of Execution and completion of works as per the agreements No. 376/ 2018-19 dt 21-2-2019, in the area of Kamavarapukota Mandal West Godavari Dist. under Neeru-Chettu Scheme to the petitioner till today and causing heavy loss with interest even though total works were completed as illegal arbitrary and violative of article 14,16,21 of constitution of India and consequentially to direct the respondents to release and pay the bills worth of Rupees 7,03,171/-with interest to the petitioner forthwith as per the agreement

IA NO: 1 OF 2021

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased direct the respondents to release and pay the bills worth of Rupees

7,03,171/-with interest to the petitioner forthwith as per the agreement pending disposal of the above writ petition.

**Counsel for the Petitioner: SRI. BOKKA SATYANARAYANA KAMLA**

**Counsel for the Respondent Nos. 1, 4, 5 &6: GP FOR IRRIGATION COMM AREA DEV**

**Counsel for the Respondent No. 3: GP FOR REVENUE**

**Counsel for the Respondent No. 2: GP FOR FINANCE AND PLANNING**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITION NO.19144 OF 2021**

**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.
4. In view of the submissions made by the learned counsel for the petitioner and learned Government Pleader that it is an admitted fact that the principal amount was already paid as claimed by the petitioner. 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 closed, granting liberty to the

petitioner to claim the 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.

SD/- A VENUGOPALA RAO  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. BOKKA SATYANARAYANA KAMLA Advocate [OPUC]
2. Two CCs to GP FOR IRRIGATION COMM AREA DEV, High Court Of Andhra Pradesh. [OUT]
3. Two CCs to GP FOR FINANCE AND PLANNING, High Court of Andhra Pradesh. [OUT]
4. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
5. Two CD Copies

Csb  
sree

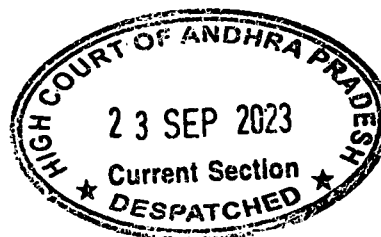
*Se. / Ashw*

**HIGH COURT**

**DATED:26/07/2023**

**ORDER**

**WP.No.19144 of 2021**



9 Copies

SK

28.08.23

**CLOSING THE WP WITHOUT COSTS**