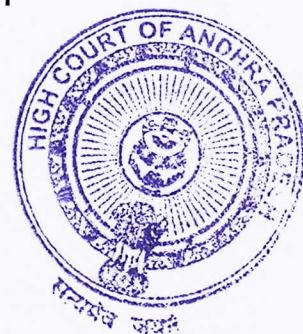


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE M.VENKATA RAMANA



WRIT PETITION NO: 19851 OF 2021

Between:

V .Ramaiah, S/o. V. Ramanaiah, aged 45 years, Occ. Contractor, R/o .H.No.4/13-B,
V.Agraharam, Rachayapeta, Gopavaram Mandal, YSR Kadapa District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Finance Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Water Resources (Irrigation) Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
3. Executive Engineer, Water Resources Department, Kadapa Division, Kadapa, YSR Kadapa District.
4. Deputy Executive Engineer, Water Resources Department, Irrigation Sub-Division, Proddatur @ Badvel, YSR Kadapa District.

...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 preferably a Writ in the nature of Mandamus declaring the action of the Respondent No.3 in not paying Rs.23,81,163/- to the petitioner for the work done by him under Agreement No.11/2018-19, dated:12.12.2018 i.e., Reconstruction of Check dam across yerra vanka near Yerraballi SC Colony in Atloor Mandal of YSR kadapa District even after a lapse of more than 2½ years as illegal, arbitrary, unfair, unjust and violative of Article 14 of the Constitution of India and consequently direct the 3rd Respondent to pay Rs. 23,81,163/- to the petitioner.

IA NO: 1 OF 2021

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 3rd Respondent to pay Rs. 23,81,163/- to the petitioner in respect of the work " Reconstruction of Check dam across yerra vanka near Yerraballi SC Colony in Atloor Mandal of YSR Kadapa District, " under Agreement No.11/2018-19, dated 12.12.2018 executed by the petitioner 2½ years ago, pending disposal of WP 19851 of 2021, 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 M Siva Kumar, Advocate for the Petitioner, GP for Finance & Planning for the Respondent No.1 and GP for Irrigation for Respondent Nos.2 to 4, the Court made the following;

ORDER:

"At request of the learned Government Pleader for Irrigation and Command Area Development, for counter, list on 03.11.2021.

If counter is not filed on that day, this Court will be forced to pass an interim order in all the pending interlocutory applications directing the respondents to meet the prayer sought therein. No further time will be granted for filing counter thereafter.

The learned Government Pleader is requested to get a statement prepared relating to this entire batch of cases, where there are instances, which the respondents could process without any difficulty and without any complaint and

where there is requirement of vigilance enquiry on account of the nature of works carried out.

The 3rd respondent-Executive Engineer shall get this statement prepared on or before the above date and get it filed through the office of the learned Government Pleader for consideration of this Court."

//TRUE COPY//

Sd/-K.TataRao
ASSISTANT REGISTRAR

SECTION OFFICER
FOR ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Finance Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Principal Secretary, Water Resources (Irrigation) Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
3. Executive Engineer, Water Resources Department, Kadapa Division, Kadapa, YSR Kadapa District.
4. Deputy Executive Engineer, Water Resources Department, Irrigation Sub-Division, Proddatur @ Badvel, YSR Kadapa District. (1 to 4 by RPAD)
5. One CC to Sri. M Siva Kumar, Advocate [OPUC]
6. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP for Irrigation, High Court of Andhra Pradesh. [OUT]
8. One spare copy.

MSB

HIGH COURT

MVR,J

DATED:07/10/2021

ORDER

LIST ON 03.11.2021

WP.No.19851 of 2021

INTERIM DIRECTION

