

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

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



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 17845 OF 2023

Between:

N. Nagabhushanam, S/o Bala Kotaiah, Aged about 42 years, R/o Sajjavaripalem Village, Nagaram Mandal, Guntur District.

... Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary to Government, Panchayat Raj and Rural Development Department, A.P Secretariat Buildings, Velagapudi, Guntur District.
2. The State of Andhra Pradesh, Represented by its Principal Secretary, Department of Finance and Planning, A.P Secretariat buildings, Velagapudi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, NH-16, Tadepalli, Guntur District.
4. The District Collector, Panchayat Wing, Guntur, Guntur District.
5. The Executive Engineer, PRI Division, Guntur, Guntur District.
6. The Mandal Parishad Development Officer, Tadikonda Mandal, Guntur District.
7. The Nidumukkala Gram Panchayat, Rep.by its Executive Authority-Cum-Panchayat Secretary, Nidumukkala Village, Tadikonda Mandal, Guntur District.
8. Union of India, Rep.by its Secretary to Govt of India, Ministry of Rural Development Department, New Delhi.
9. The District Minority Welfare Officer, Guntur.
10. The Director of Minorities Welfare Department, Tadepalli, Guntur District.
11. The Managing Director, Andhra Pradesh State Christian Minorities Finance Corporation, Tadepalli, Guntur District

... Respondents

WHEREAS the Petitioner above named through his Advocate Sri Venkata Durga Rao Anantha, 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 to issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the admitted due amount of Rs 4,73,782/- (Rupees Four Lakhs Seventy Three Thousand and Seven Hundred and Eighty Two Only) payable to petitioner in relation to part work executed for 5th Respondent by the petitioner herein under Agreements Bearing No. /2018-19, Dt. 08-02-2019 even after finalizing the bills, as illegal,

arbitrary, unconstitutional and consequently direct the respondents herein immediately to pay the part bill due amount of Rs.4,73,782/- (Rupees Four Lakhs Seventy Three Thousand and Seven Hundred and Eighty Two Only) payable to the petitioner in relation to part work executed for 5th Respondent under Agreements Bearing No. /2018-19, Dt. 08-02-2019 ;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Venkata Durga Rao Anantha, Advocate for the Petitioner, learned GP FOR PANCHAYAT RAJ for respondent Nos.1,3,4&5, learned GP FOR FINANCE AND PLANNING DEPT., for respondent No.2, Sri G. Venkata Reddy, Standing Counsel for respondent Nos.6 & 7, Sri N. Harinath, Deputy Solicitor General for respondent No.8 and learned GP FOR MINORITIES WELFARE DEPT., for respondent Nos.9 &10, 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 Principal Secretary to Government, State of Andhra Pradesh, Panchayat Raj and Rural Development Department, A.P Secretariat Buildings, Velagapudi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Department of Finance and Planning, A.P Secretariat buildings, Velagapudi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, NH-16, Tadepalli, Guntur District.
4. The District Collector, Panchayat Wing, Guntur, Guntur District.
5. The Executive Engineer, PRI Division, Guntur, Guntur District.
6. The Mandal Parishad Development Officer, Tadikonda Mandal, Guntur District.
7. The Executive Authority-Cum- Panchayat Secretary, The Nidumukkala Gram Panchayat, Nidumukkala Village, Tadikonda Mandal, Guntur District.
8. The Secretary to Govt of India, Union of India, Ministry of Rural Development Department, New Delhi.
9. The District Minority Welfare Officer, Guntur.
10. The Director of Minorities Welfare Department, Tadepalli, Guntur District.
11. The Managing Director, Andhra Pradesh State Christian Minorities Finance Corporation, Tadepalli, Guntur 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 26.07.2023, on which date the case stands posted for hearing.

The Court made the following ORDER:

“Notice before admission.

Learned Government Pleader for Panchayat Raj Department takes notice for R1, R3, R4 & R5.

Learned Government Pleader for Finance & Planning Department takes notice for R2.

Sri G. Venkata Reddy, learned Standing Counsel for Gram Panchayats, takes notice for R6 & R7.

Sri N. Harinath, learned Deputy Solicitor General of India, takes notice for R8.

Learned Government Pleader for Minorities Welfare Department, takes notice for R9 & R10.

Learned counsel for the petitioner is permitted to take out personal notice on R11 through Registered Post with Acknowledgement Due file proof of service in the Registry.

For getting instructions, post on 26.07.2023, in the 'motion list'."

//TRUE COPY//

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary to Government, State of Andhra Pradesh, Panchayat Raj and Rural Development Department, A.P Secretariat Buildings, Velagapudi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Department of Finance and Planning, A.P Secretariat buildings, Velagapudi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, NH-16, Tadepalli, Guntur District.
4. The District Collector, Panchayat Wing, Guntur, Guntur District.
5. The Executive Engineer, PRI Division, Guntur, Guntur District.
6. The Mandal Parishad Development Officer, Tadikonda Mandal, Guntur District.
7. The Executive Authority-Cum- Panchayat Secretary, The Nidumukkala Gram Panchayat, Nidumukkala Village, Tadikonda Mandal, Guntur District.
8. The Secretary to Govt of India, Union of India, Ministry of Rural Development Department, New Delhi.

9. The District Minority Welfare Officer, Guntur.
10. The Director of Minorities Welfare Department, Tadepalli, Guntur District.
11. The Managing Director, Andhra Pradesh State Christian Minorities Finance Corporation, Tadepalli, Guntur District. (Addressees Nos.1 to 11 by RPAD- along with a copy of petition and affidavit)
12. One CC to SRI. VENKATA DURGA RAO ANANTHA Advocate [OPUC]
13. One CC to Sri G. Venkata Reddy, Standing Counsel [OPUC]
14. One CC to Sri N. Harinath, Standing Counsel [OPUC]
15. Two CCs to GP FOR MINORITIES WELFARE DEPT., High Court of Andhra Pradesh. [OUT]
16. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT]
17. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh. [OUT]
18. One spare copy

KJ

HIGH COURT

RCJ

DATED:19/07/2023

POST ON 26.07.2023, IN THE MOTION LIST

NOTICE BEFORE ADMISSION

WP.No.17845 of 2023

