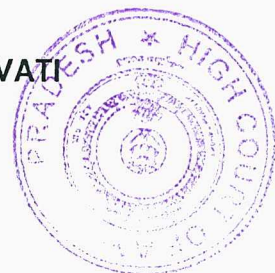


IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI  
(Special Original Jurisdiction)



TUESDAY, THE FIFTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 22265 OF 2023

**Between:**

M/s. Hemachandra Reddy Nursery Gardens, Rep.by K. Hemachandra Reddy, S/o.  
K. Kesavula Reddy, Aged about 63 Years, P. Kothuru, Chittoor (D), A.P.

...PETITIONER

AND

1. The State of AP, Rep by its Principal Secretary, Agriculture Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The State of Andhra Pradesh, Rep by its Principal Secretary, Finance Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
3. The Commissioner and Director of Agriculture Department, Government of Andhra Pradesh Old Mirchi Yard, Nallapadu Road, Chuttugunta, Guntur District.
4. The Joint Director of Agriculture, Chittoor, Chittoor District
5. The District Agriculture Office, Chittoor, Chittoor District
6. The Deputy Director of Agriculture, Chittoor, Chittoor District.
7. The Assistant Director of Agriculture (Soil Conservation), Madanapalli, Annamayya District.
8. The Agriculture Officer (Soil Conservation), Madanapalli, Annamayya 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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents herein not releasing the total bills amount worth of Rs. 17,49,610/- (Rupees Seventeen lakhs forty nine thousand six hundred and ten only) with interest @ 12% p.a., as per the Judgment of this Hon'ble Court In W.P. No.19525/2021 (W.P. No. 10038/2021 and Batch) dated 05.10.2021 under grant of Rainfed Area Development (RAD) to the petitioner till today after Implementation of the 1) Supply of 9955 No's Coconut seedling plants (Tripur Variety) to Paleru, Katappagaripalli clusters of Bangarupalayam Mandal and Mittoor and Errepalli Cluster of Irala mandals in ADA (S.C) Chittoor Divisions and 2) Supply of 1631 No's Coconut seedling plants (Tripur Variety) and Alaneredu plants to the kalavapalli and Middinyanapalli Clusters of Molakalacheruvu Mandal in ADA (S.C) Tirupati Division to take up for implementation of Plantation programme under Rainfed Area Development (RAD) 2018-19 in Concerned Division and causing heavy loss with Interest even though

the work was completed within time as illegal arbitrary and violative of Article 14, 16 and 21 of the Constitution of India and consequentially direct the Respondents to release and pay the total bills amount of Rs. 17,49,610/- (Rupees Seventeen lakhs forty nine thousand six hundred and ten only) with Interest under grant of Rainfed Area Development (RAD) forthwith to the petitioner.

**IA NO: 1 OF 2023**

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 respondents to release and pay the total bills amount worth of Rs. 17,49,610/- (Rupees Seventeen lakhs forty nine thousand six hundred and ten only) with Interest under grant of Rainfed Area Development (RAD) forthwith to the petitioner, pending disposal of the above writ petition.

**Counsel for the Petitioner : SRI SRINIVASA RAO NARRA**

**Counsel for the Respondent Nos.1, 3 to 8 : GP FOR AGRICULTURE**

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

**The Court made the following: ORDER**

**THE HONOURABLE SMT JUSTICE V. SUJATHA**

**WRIT PETITION No.22265 of 2023**

**ORDER:-**

The Writ Petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in not releasing the amount for the supply of seedling plants by the petitioner even though admitted amounts of a sum of Rs.17,49,610/-, is illegal, arbitrary and consequently direct the respondents to pay the admitted amounts of Rs.17,49,610/- with interest through proper channel and to pass such other orders.

2. Heard Sri Narra Srinivasa Rao, learned counsel for the petitioner and learned Assistant Government Pleader appearing for respondents.

3. Learned counsel for the petitioner submits that even though respondents admitted that the petitioner is entitled for payment of the aforesaid sum of money, no payment is being made and such non-payment of money is clearly arbitrary and high-handed and thereby requires interference by this Court. He further submits that having approved the bills with CFMS

token numbers, non-payment of bill amount is arbitrary and illegal.

4. This Court, in various orders, including the judgment of a learned single Judge of this Court, dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues needs to be cleared by the respondents at the earliest.

5. Learned Government Pleader submits that the respondent authorities are verifying the claims of the petitioner and would be in a position to make payments only after such verification is being completed.

6. In view of the aforesaid directions of this Court in various cases and after hearing both sides, this Court is inclined to dispose of the writ petition with a direction to the respondents to complete the verification process within a period of six (06) weeks from the date of receipt of a copy of this order and thereafter to pay the amounts due to the petitioner depending upon the outcome of the verification within a period of eight (08) weeks. It would also be open to

the petitioner to agitate their claim for interest, if any, payable by the respondents in an appropriate forum.

7. In view of the same, the Writ Petition is disposed of. No costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

SD/- M. SRINIVAS  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Principal Secretary, Agriculture Department, State of AP, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
3. The Commissioner and Director of Agriculture Department, Government of Andhra Pradesh Old Mirchi Yard, Nallapadu Road, Chuttugunta, Guntur District.
4. The Joint Director of Agriculture, Chittoor, Chittoor District.
5. The District Agriculture Office, Chittoor, Chittoor District.
6. The Deputy Director of Agriculture, Chittoor, Chittoor District.
7. The Assistant Director of Agriculture (Soil Conservation), Madanapalli, Annamayya District.
8. The Agriculture Officer (Soil Conservation), Madanapalli, Annamayya District.
9. One CC to Sri Srinivasa Rao Narra, Advocate [OPUC]
10. Two CCs to GP for Agriculture, High Court of Andhra Pradesh. [OUT]
11. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
12. Three C.D. Copies.

Cnr

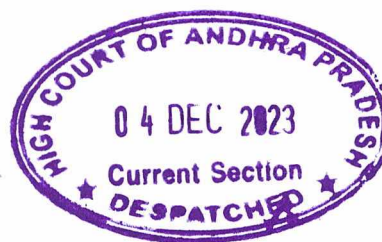
*Bhargava*

HIGH COURT

DATED:05/09/2023

ORDER

WP.No.22265 of 2023



DISPOSING THE W.P.  
WITHOUT COSTS

16-copies  
PBK  
27/11/23