

[ 3332 ]

(SHOW CAUSE NOTICE BEFORE ADMISSION) ✓

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATHI

(Special Original Jurisdiction) ✓

WEDNESDAY, THE SECOND DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI ✓

WRIT PETITION NO: 19305 OF 2023 ✓

**Between:**C.Dayakar, S/o.C Baskar, Aged about 45 years, Occ. Contractor, R/o.B C Colony,  
Manubolu, Manubolu (M), SPSR Nellore District, Pincode. 524406.**Petitioner** ✓**AND**

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Panchayat Raj and Rural Development, 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 District Collector, Nellore, SPSR Nellore District.
4. The Executive Engineer, PRI Division, Nellore, SPSR Nellore District.
5. The Deputy Executive Engineer, PRI Sub Division, Nellore, SPSR Nellore District.
6. The Panchayat Secretary, Manubolu Gram Panchayat, Manubolu Mandal, SPSR Nellore 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 to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the Respondents not releasing the deposit amounts as Rs.22,500/- (EMD) & Rs.22,500/- (FSD) vide M Book No. 500/B/2018-19 (SDF) and Rs.44,858/- vide M Book No.486/B/18-19 (MGNREGS), even after completion of defect liability period, refund payable to the petitioner in relation to the work i.e., Providing internal CC roads at Manubolu Gram Panchayath in Manubolu Mandal of SPSR Nellore District, vide Agreement No. /2018-19, dated 26.09.2018 and Work Id No.097073111012080062 is questioned, as the same is illegal, arbitrary and consequently direct the respondents to release the deposit amounts as Rs.22,500/- (EMD) & Rs.22,500/- (FSD) vide M Book No. 500/B/2018-19 (SDF) and Rs.44,858/- vide M Book No.486/B/18-19 (MGNREGS), to the petitioner in respect of above-mentioned work forthwith.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI.BATHALA RAMESH Advocate for the Petitioner, Government Pleader for Panchayat Raj for Respondent Nos.1, 3, 4 & 5, Government Pleader for Finance & Planning for Respondent No.2, Sri.G.Venkat Reddy, Standing Counsel for Respondent No.6, 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, Panchayat Raj and Rural Development, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, Department of Finance and Planning, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, Nellore, SPSR Nellore District.
4. The Executive Engineer, PRI Division, Nellore, SPSR Nellore District.
5. The Deputy Executive Engineer, PRI Sub Division, Nellore, SPSR Nellore District.
6. The Panchayat Secretary, Manubolu Gram Panchayat, Manubolu Mandal, SPSR Nellore 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 09.08.2023 on which date the case stands posted for hearing.

**THE COURT MADE THE FOLLOWING ORDER:**

**Notice before admission.**

**Learned Government Pleader Panchayat Raj for takes notice on behalf of respondent Nos.1, 3, 4 & 5.**

**Learned Government Pleader for Finance & Planning takes notice on behalf of respondent No.2.**

**Sri.G.Venkata Reddy, learned standing counsel for Gram Panchayat & MPDO, takes notice on behalf of respondent No.6.**

**For instructions, post on 09.08.2023 in Motion List.**

**Sd/- K. J. RAJA BABU  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**For**

**SECTION OFFICER**

To,

1. The Principal Secretary, Panchayat Raj and Rural Development, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, Department of Finance and Planning, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, Nellore, SPSR Nellore District.
4. The Executive Engineer, PRI Division, Nellore, SPSR Nellore District.
5. The Deputy Executive Engineer, PRI Sub Division, Nellore, SPSR Nellore District.
6. The Panchayat Secretary, Manubolu Gram Panchayat, Manubolu Mandal, SPSR Nellore District (1 to 6 by RPAD- along with a copy of petition and affidavit)
7. One CC to SRI.BATHALA RAMESH Advocate [OPUC]
8. Two CCs to GP for Panchayat Raj & Rural Development, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
10. One CC to Sri.G.Venkata Reddy, Standing Counsel (OPUC)
11. One spare copy

SRL

**HIGH COURT**

**RCJ**

**DATED:02/08/2023**

**NOTE: POST ON 09.08.2023 IN MOTION LIST**

**— NOTICE BEFORE ADMISSION**

**WP.No.19305 of 2023**

