

[3332]

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

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

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 24412 OF 2023**

Between:

M Malakondaiah, S/o. M. Narashimam, Aged about 50 years, Occ. Member of Nominee works committee, R/o. Mittapalem Village, Kondepi Mandal, Prakasam District.

Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Panchayathi Raj and Rural Development (RWS I) Department Secretariat, Velagapudi, Amaravati, Guntur District.
2. The State of Andhra Pradesh, rep. by its Principal Secretary, Finance Department, Secretariat, Velagapudi, Amaravati, Guntur District
3. The District Collector, Ongole, Prakasam District.
4. The Executive Engineer, Rural Water Supply and Sanitation Division, Ongole, Prakasam District.
5. The Superintending Engineers, Rural Water Supply and Sanitation Division, Ongole, Prakasam District.
6. The Deputy Executive Engineer, Rural Water Supply and Sanitation, Sub-Division, Singarayakonda, Prakasam District.
7. The Assistant Engineer, Rural Water Supply and Sanitation Division, Kondepi, Prakasam District
8. The Mittapalem Gram Panchayath, rep. by it's Panchayat Secretary, Mittapalem village, Kondepi Mandal, Prakasam District

Respondents

WHEREAS the Petitioner above named through his Advocate Sri SHAIK MEERAVALI 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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring action of the Respondents in not releasing the bill amounts Covered by NPI Grant worth of Rs. 3,42,143.00/- for Providing Water Supply to YSR Jagananna Colony for houses Construction Purpose at Mittapalem Village of Kondepi Mandal. and causing heavy loss with interest even though total works were completed within time as illegal, arbitrary and violation of Article 14, 16 and 21 of Constitution of India and consequently direct the Respondents to release and pay the above mentioned amount along with interest forthwith;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SHAIK MEERAVALI Advocate for the Petitioner and of GP FOR PANCHAYT RAJ & RURAL DEVELOPMENT for the Respondent Nos.1,3 to 7 and of GP FOR FINANCE & PLANNING for the

Respondent No.2 and of SRI G.VENKATA REDDY, Standing Counsel for the Respondent No.8, 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, Panchayathi Raj and Rural Development (RWS I) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District
3. The District Collector, Ongole, Prakasam District.
4. The Executive Engineer, Rural Water Supply and Sanitation Division, Ongole, Prakasam District.
5. The Superintending Engineers, Rural Water Supply and Sanitation Division, Ongole, Prakasam District.
6. The Deputy Executive Engineer, Rural Water Supply and Sanitation, Sub-Division, Singarayakonda, Prakasam District.
7. The Assistant Engineer, Rural Water Supply and Sanitation Division, Kondepi, Prakasam District
8. The Panchayat Secretary, Mittapalem Gram Panchayath, Mittapalem village, Kondepi Mandal, Prakasam District.

are be and hereby directed to show cause either appearing in person or through an Advocate on or before 26.09.2023 to which date the case stands posted 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.

The Court made the following Order:

“Notice before admission.

Learned Government Pleader for Panchayat Raj & Rural Development take notice on behalf of respondent Nos.1, 3 to 7.

Learned Government Pleader for Finance & Planning Department takes notice on behalf of respondents No.2.

Sri G.Venkata Reddy, learned Standing Counsel for ZPP, MPP and Gram Panchayat takes notice on behalf of respondent No.8.

Learned counsel for the respondents sought time to get instructions.

At their request, post the matter on 26.09.2023, in the motion list.”

//TRUE COPY//

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR
AS
SECTION OFFICER

To,

1. The Principal Secretary, Panchayathi Raj and Rural Development (RWS I) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
 2. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District
 3. The District Collector, Ongole, Prakasam District.
 4. The Executive Engineer, Rural Water Supply and Sanitation Division, Ongole, Prakasam District.
 5. The Superintending Engineers, Rural Water Supply and Sanitation Division, Ongole, Prakasam District.
 6. The Deputy Executive Engineer, Rural Water Supply and Sanitation, Sub-Division, Singarayakonda, Prakasam District.
 7. The Assistant Engineer, Rural Water Supply and Sanitation Division, Kondepi, Prakasam District
 8. The Panchayat Secretary, Mittapalem Gram Panchayath, Mittapalem village, Kondepi Mandal, Prakasam District. **(Addresses 1 to 8 by RPAD- along with a copy of petition and affidavit)**
 9. One CC to SRI. SHAIK MEERAVALI Advocate [OPUC]
 10. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
 11. Two CCs to FOR FINANCE & PLANNING, High Court Of Andhra Pradesh. [OUT]
 12. One CC to SRI G.VENKATA REDDY, Standing Counsel. [OPUC]
 13. **One spare copy**
- ER

HIGH COURT

RCJ

DATED:19/09/2023

POST THE MATTER ON 26.09.2023, IN THE MOTION LIST

NOTICE BEFORE ADMISSION

WP.No.24412 of 2023

