

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

WEDNESDAY, THE FOURTH DAY OF OCTOBER,  
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

Petition under Article 226 of the Constitution of India is filed 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.

**IA NO: 1 OF 2023:**

Petition under Section 151 CPC is filed 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 the amounts payable to the petitioner herein with interest

⑤ 24% per annum for the delayed amount till date of realization for the works executed by

the petitioner forthwith, pending disposal of WP.No.24412 of 2023, 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 Shaik Meeravali, Advocate for the Petitioner and GP for Panchayat Raj for the Respondent Nos.1, 3 to 7 and GP for Finance for the Respondent No.2 and Sri G.Venkata Reddy, Standing Counsel for the Respondent No.8, the Court made the following;

**ORDER:**

“Learned Assistant Government Pleader for Panchayat Raj and Rural Development submitted that instead of best efforts made by their office, respondent no.6 i.e., the Deputy Executive Engineer, Rural Water Supply & Sanitation, Sub-Division, Singarayakonda, Prakasam District is not sending instructions. As the Government Pleader’s office failed to get instructions, this Court could not adjudicate the matter. In view of the same, this Court is inclined to order for appearance of respondent no.6.

Accordingly, respondent no.6 i.e the Deputy Executive Engineer, Rural Water Supply & Sanitation, Sub-Division, Singarayakonda, Prakasam District is directed to appear before this Court by the next date of hearing.

Post this matter on 11.10.2023, in the motion list, under the caption ‘for appearance’.”

**Sd/- K. KASIRAO ACHARI**  
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**For**

  
**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. **(BY SPEED POST)(directed to appear before this Court by the next date of hearing i.e., 11.10.2023)**
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 5 & 7, 8 by RPAD)**
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 GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
12. One CC to Sri G.Venkata Reddy, Standing Counsel. [OPUC]
13. One spare copy

MM

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**HIGH COURT**

**RC,J**

**DATED:04/10/2023**

**NOTE: POST THIS MATTER ON 11.10.2023, IN THE MOTION LIST**

**ORDER**

**WP.No.24412 of 2023**

**APPEARANCE OF RESPONDENT NO.6**

