APHC010485652025

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

WEDNESDAY, THE 7th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 24683 OF 2025

Between:

1. HAZARATHAIAH CONSTRUCTIONS, Rep. by the Managing Partner Nadendia Harish, D.No.15-4-48, 2ND Lane, Manipuram, R.T.C. Colony, Guntur, Guntur District, A.P.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its PrI. Secretary, Municipal Administration AND Urban Development Department, Secretariat, Velagapudi, Amaravathi.

2. Guntur Municipal Corporation, Rep. by the Commissioner, Kothapeta, 0pp. Gandhi Park, Guntur City, Guntur District, A.P.

3. The Superintending Engineer, Guntur Municipal Corporation, Kothapeta, 0pp. Gandhi Park, Guntur City, Guntur District, A.P

...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 topleased to issue any writ, order or Direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondents in cancelling the three works i.e., 1) Providing CC Road to from kakumanu vari thota 7TH line to 5TH line in Div No.51 Under AE14 Section (Burial ground

back side road) and 2) Providing CC Road fom Donka Road to kakumanuvari thota 5TH line in Div No.51 Under AE-14 Section (Burial ground back side road) and 3) Providing CC Road Kakumanuvari thota main road burial ground back side (balance road) in Div No.51 Under AE-14 Section which were allotted to the Petitioner's firm without issuing any prior notice or intimation and calling for fresh tenders for the same three works with new Tender IDs-841402, 841400 and 841393 on 03.09.2025 even though the Petitioner's firm is still under agreement with the Respondents for the execution of the same three works as per the agreements dated 16.07.2025 as illegal, arbitrary, against the principles of natural justice and in violation of Letters of Acceptance and Agreements entered in between the Petitioner and the Respondents and against the rights of the Petitioner's firm guaranteed under Articles 14, 19, 21 and 300-A of the Constitution of India and consequently set aside the new Tenders dated 03.09.2025 with new Tender IDs-841402, 841400 and 841393 which were recalled for the above same three works by the Respondents and further direct the Respondents to allow the Petitioner's firm to execute the above said three works which were allotted to the firm in pursuance of the agreements dated 16.07.2025 and pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to pass an interim order by suspending the new Tenders dated 03.09.2025 with new Tender IDs-841402, 841400 and 841393 which were recalled for same three works i.e., 1) Providing CC Road to from kakumanu vari thota 7TH line to 5TH line in Div No.51 Under AE14 Section (Burial ground back side road) and 2) Providing CC Road fom Donka Road to kakumanuvari thota 5TH line in Div No.51 Under AE-14 Section (Burial ground back side road) and 3) Providing CC Road Kakumanuvari thota main road burial ground back side (balance road) in Div No.51 Under AE-14

Section by the Respondents, until disposal of the above writ petition, and pass

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to pass an interim order by directing the Respondents not to finalize the new tender bids of the works three works i.e., 1) Providing CC Road to from kakumanu vari thota 7TH line to 5TH line in Div No.51 Under AE14 Section (Burial ground back side road) and 2) Providing CC Road fom Donka Road to kakumanuvari thota 5TH line in Div No.51 Under AE-14 Section (Burial ground back side road) and 3) Providing CC Road Kakumanuvari thota main road burial ground back side (balance road) in Div No.51 Under AE-14 Section with new Tender IDs-841402, 841400 and 841393 which were called for on 03.09.2025, until disposal of the above writ petition, and pass

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to pass an interim order by directing the Respondents to continue the execution of the said three works i.e., 1) Providing CC Road to from kakumanu vari thota 7TH line to 5TH line in Div No.51 Under AE14 Section (Burial ground back side road) and 2) Providing CC Road fom Donka Road to kakumanuvari thota 5TH line in Div No.51 Under AE-14 Section (Burial ground back side road) and 3) Providing CC Road Kakumanuvari thota main road burial ground back side (balance road) in Div No.51 Under AE-14 Section in all terms in pursuance of the agreements dated 16.07.2025 by considering the written representation dated 09.09.2025 submitted by the Petitioner's firm, until disposal of the above writ petition, and pass

IA NO: 4 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to extend the interim order passed by the Hon'ble High Court of A.P. dated 16.09.2025 in W.P. No. 24683/2025 to until further orders, pending disposal of the above Writ Petition and pass

Counsel for the Petitioner: SRINIVASA RAO NARRA

Counsel for the Respondents: VANKAYALAPATI N PRAVEEN SC For GNT, ONG, NLR Municipal Corporations

Counsel for the Respondents: GP FOR MUNCIPAL ADMN URBAN DEV

The Court made the following Order:

Heard Sri Srinivasa Rao Narra, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development and Sri Vankayalapati Naga Praveen, learned Standing Counsel for the respondents/Municipal Corporation.

2. Challenging the action of the respondents in cancelling the three work orders for execution of Civil works for laying CC Roads Kakumanu Vari Thota, Division No.51, Guntur, granted in favour of the petitioner, the instant Writ Petition is filed.

3. It is submitted that after issuance of the letter of acceptance, the respondent No.2 and the petitioner has entered into an agreement for execution of the said three works. The agreement was signed by the respondent No.3 pursuant to the work order issued by the respondents/Corporation. It is argued that at the time of entering into an agreement the petitioner had paid substantial sums. During the validity of the

said agreements/work orders, the respondents have called for fresh tenders in respect of the same works vide tender notice dated 03-09-2025. The said proceedings calling for fresh tenders during the operation of the work order issued in favour of the petitioner, is arbitrary and unsustainable. Challenging the said notice, the petitioner has filed the instant Writ Petition.

4. The respondents filed counter affidavit stating that an outsourcing employee of the respondent/Corporation working in engineering section committed serious irregularities and manipulations in the e-procurement tender process including discrepancies in tender procurement data and irregularities in tender processing and billing, and that an action was taken against the said computer operator. Referring to G.O.Ms.No.94, I & CAD (PWW) Department, dated 01-07-2003 which provides that any contractor found to be indulging in malpractices the tender process is liable for blacklisting. It is argued that the impugned action of the respondents is not an arbitrary one.

5. Considered the submissions. A perusal of the documents that have been annexed to the counter affidavit reflects that several irregularities stated to have been committed by the Computer Operator of the respondent/Corporation, however in respect of the subject tender process, no such irregularity has been pointed out in the counter affidavit of the respondents. Merely because the said Computer Operator was responsible for certain irregularities, without there being any material before the respondents the assumption that in the present case also the same

irregularities would have had happened, is untenable. The said contention of the respondent/Corporation is without basis and without any material. Neither in the counter affidavit, nor in the annexure filed along with the counter affidavit no such irregularity, with respect to the subject tender has been placed nor mentioned. In the absence of any such material before the respondent/Corporation it is not justifiable on the part of the respondent/Corporation in preventing the petitioner from proceeding with the Contracts in furtherance of the Work Order.

6. In the light of the same, this Court deems it appropriate to dispose of the Writ Petition directing the respondent/Corporation to allow the petitioner to complete the contract work awarded in his favour vide Tender ID Nos.817740, 817757 & 829438. The respondents/Corporation is at liberty to fix a time for completion of the said tender.

7. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 07-10-2026
MSI

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 24683 OF 2025

Dated: 07-10-2026
MSI