



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

[3332]

WEDNESDAY, THE 22nd DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 4545/2025

Between:

1. TODDAY TAPPERS COOPERATIVE SOCIETY, TODDY TAPPERS COOPERATIVE SOCIETY BHUPASAMUDRAM, CHUAMATHUR MANDAL, SRI SATHYA SAI DISTRICT, REPRESENTED BY ITS PRESIDENT, SUGALI RANGANATH NAIK S/O OBENAIK, R/O 6-9, DADIREDIPALLI TANDA, HUSSAINPURAM, BHUPASAMUDRAM, SRI SATHYA SAI DISTRICT

...PETITIONER

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE (PROHIBITION EXCISE) DEPARTMENT AT SECRETARIAT, AMARAVATHI, VELAGAPUDI GUNTUR DISTRICT
2. THE DEPUTY COMMISSIONER OF PROHIBITION AND EXCISE, SRI SATHYA SAI DIST.
3. THE DISTRICT PROHIBITION EXCISE OFFICER, SRI SATHYA SAI DISTRICT
4. THE STATION HOUSE OFFICER, HINDUPUR PROHIBITION AND EXCISE STATION, SRI SATHYA SAI DISTRICT

...RESPONDENT(S):

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 Writs, Order or Direction, declaring and setting aside the Order dt 17.1.2025 in Rc.No. 130/2024/B issued by the 3rd Respondent herein, as illegal, arbitrary, without jurisdiction and violative of principles of natural justice 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 to grant interim suspension of the operation of the Order dt 17.1.2025 in Rc.No. 130/2024/B issued by the 3rd Respondent herein, pending disposal of W.P.No. of 2025 and pass

IA NO: 1 OF 2026

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 to grant leave to the Respondents to file Counter Affidavit and to pass

Counsel for the Petitioner:

1.N RANGA REDDY

Counsel for the Respondent(S):

1.GP FOR PROHIBITION EXCISE

The Court made the following:

ORDER:

Impugning the notice *vide* Rc.no.130/2024/B dated 17.01.2025 issued by the 3rd respondent cancelling of Bhupasamudram TCS bearing license dated 02.02.2023, the present writ petition is filed.

2. Heard Sri N.Ranga Reddy, learned counsel for the petitioner and Sri Nagaraju Pullagura, learned Government Pleader for Prohibition & Excise for the respondents.

3. Learned counsel for the petitioner while reiterating the contents of the affidavit filed in support of the writ petition contended that the authorities, alleging that 13 litres of toddy was found during inspection, drafted Panchanama and drawn three samples of toddy for chemical analysis. Thereafter, 3rd respondent, alleging that the Toddy samples which were drawn for chemical analysis were found to be adulterated with Diazepam, in a mechanical way, issued the impugned order dated 17.01.2025 cancelling the license of the petitioner society, therefore, the impugned order is liable to be set aside. Accordingly, prayed to allow the writ petition.

Learned counsel further submitted that the impugned order was issued without giving any prior show cause notice inviting explanation to the petitioner, as such, the same is wholly unsustainable and in clear violation of principles of natural justice, accordingly, prayed to pass appropriate orders protecting the interest of the petitioner.

4. On the other hand, learned Government Pleader justified the impugned order contending that as the authorities found the toddy samples to be adulterated with Diazepam, cancelled the license of the petitioner, after following the procedure contemplated under law. He would further contend that the authorities have rightly passed the impugned order, therefore, there is neither illegality nor procedural irregularity in passing the orders impugned. The writ petition is devoid of merits and liable to be dismissed, accordingly, prayed to dismiss the writ petition.

5. Perused the record and considered the submissions made by both the learned counsel for the parties.

6. A perusal of the record would indicate that the impugned cancellation order dated 17.01.2025 has been issued to the petitioner without giving any prior show cause notice inviting explanation. In the impugned notice, it was mentioned that in the reference 9th cited, a show cause notice for cancellation of license was issued to president of Bhupasamudram TCS bearing license No.04/B/2022-27/CLMR(M)/Bhupasamudram TCS dated 02.02.2023 but so far no explanation or representation was received. Whereas reference 9 in the impugned proceedings shows that it was a report of the SHO but not a show cause notice as mentioned in the impugned order. Further there is no whisper about the issuance of show cause notice in the reference of

the impugned cancellation order. Therefore, it is clear that the impugned cancellation order was issued without issuing any prior show cause notice inviting explanation from the petitioner which amounts to violation of *Audi Alteram Partem* principle. In view of the same, the impugned order is liable to be set aside.

7. Accordingly, the writ petition is ***disposed of***. The impugned notice dated 17.01.2025 is hereby set aside. Further, the authorities are directed not to take coercive steps in accordance with law if so advised/desire. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 22nd July, 2026

RKS