

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

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 6870 OF 2025

Between:

K.Bharathi, W/o K.Anand Prasad, Aged about... years, Occ- Business R/o
D.NO.13-30-S5/353, P.K.Layout, Tirupati Town, Tirupati District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Prohibition and Excise Department, Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Director, Prohibition and Excise Department Mangalagiri, Guntur District, Andhra Pradesh
3. The Deputy Commissioner, Prohibition and Excise Department Chittoor
4. The District Prohibition and Excise Officer, Tirupati District
5. The Station House Officer, Prohibition and Excise Station, Tirupati Rural, Tirupati District

...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 to issue a writ, order or direction, more particularly on in the nature of writ of mandamus, declaring the action of the 4th Respondent in issuing the impugned notice dt.10-03-2025 vide proceedings in Rc.No.41/B/2025/TPT/GK/20 whereby the petitioner was instructed to shift her A4 shop from the existing premises on administrative grounds without seeking any explanation or conducting enquiry is per se illegal, arbitrary, against the principles of natural justice and in violation of the fundamental rights

guaranteed under Articles 14, 19 and 21 of the constitution of India and contrary to the Andhra Pradesh Excise Act, 1968 and rules made there under and to consequently set aside the impugned notice dt. 10-03-2025 vide proceedings in Rc.No.41/B/2025/TPT/GK/20 in the interest of justice.

IA NO: 1 OF 2025

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the impugned notice dt. 10-03-2025 vide proceedings in Rc.No.41/B/2025/TPT/GK/20 issued by the 4th respondent, Pending disposal of WP 6870 of 2025, 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 V NITESH, Advocate for the Petitioner, and of GP FOR PROHIBITION & EXCISE, for the Respondents, the Court made the following

ORDER:

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

There shall be an interim direction restraining the respondents from interfering with the A-4 license of the petitioner till further proceedings to be issued by the respondents. However, the respondents are directed to select any another suitable premises for the petitioner's business and issue appropriate proceedings for shifting A4 license shop of the petitioner.

Post the matter after three (03) weeks.

//TRUE COPY//

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Prohibition and Excise Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District
(by Special Messenger)
2. The Director, Prohibition and Excise Department Mangalagiri, Guntur District, Andhra Pradesh
3. The Deputy Commissioner, Prohibition and Excise Department Chittoor
4. The District Prohibition and Excise Officer, Tirupati District
5. The Station House Officer, Prohibition and Excise Station, Tirupati Rural, Tirupati District **(Addressees 2 to 5 by RPAD)**
6. One CC to SRI. V NITESH Advocate [OPUC]
7. Two CCs to GP FOR PROHIBITION & EXCISE ,High Court of Andhra Pradesh. [OUT]
8. **One spare copy**

PSR

HIGH COURT

NV,J

DATED:20/03/2025

NOTE: Post the matter after three (03) weeks.

ORDER

WP.No.6870 of 2025

INTERIM DIRECTION

