

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

MONDAY, THE TWENTY SEVENTH DAY OF APRIL,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 7540 OF 2026



Between:

Lingam Ananda Kumar, S/o. Poorna Chandra Rao, aged about 56 years,
Provisional Licensee of No.KRS/37/B, R/o.D.No.26/106-1, Buttaipeta,
Machilipatnam, Krishna District, 521001.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Prohibition and Excise Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District 522238.
2. The Director/Commissioner, Prohibition and Excise Department, Mangalagiri, Guntur District 522503.
3. The Deputy Commissioner, Prohibition and Excise Department, Vijayawada, Krishna District 520001.
4. The District Prohibition and Excise Officer, Machilipatnam, Krishna District 521001.
5. Segu Rajendra Narayana Sankar, S/o.Radha Krishniah, aged about 43 years, Provisional licensee of Gazette Sl.No.KRS/02/B (Sri Durga Bar and Restaurant), R/o.D.No.10/304-B, Nizampet, Machilipatnam, Krishna District 521001.

...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 a Writ of Mandamus, declaring the action of the respondent Nos.2 to 4 in

permitting/allowing the 5th respondent to establish and run Sri Durga Bar and Restaurant within less than 5 meters from State Highway No.SH-259 (Machilipatnam - Tallapalem Road), which is directly visible and accessible from the highway and operating in temporary sheds and container structures, as illegal, arbitrary and in violation of Rule 25(2)(d) and Rule 25(2)(a) of the Andhra Pradesh Excise (Grant of Licence of Selling by Bar and Conditions of Licence) Rules, 2025, contrary to the directions issued by the Honble Supreme Court under article 142, besides violation of articles 14 and 19 of the Constitution of India, and consequently direct the respondent Nos: 2 to 4 to forthwith close or relocate the 5th respondent Bar and Restaurant running under the name and style Sri Durga Bar and Restaurant, allotted vide Gazette SI. No. KRS/02/B.

IA NO: 1 OF 2026

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 grant stay of running, operating and conducting business of the Bar and Restaurant under the name and style "Sri Durga Bar and Restaurant", allotted vide Gazette SI. No. KRS/02/B, situated near State Highway No.259 (Machilipatnam - Tallapalem Road), Machilipatnam Rural, Krishna District, by the 5th respondent, pending disposal of WP 7540 of 2026, 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 Ravula Nagarjuna, Advocate for the Petitioner and of GP FOR PROHIBITION EXCISE for Respondent Nos. 1 to 4, the Court made the following

ORDER:

"The case of the petitioner is that the 4th respondent has granted Bar and Restaurant License provisionally to run in the name and style of Sri Durga Bar and Restaurant contrary to Rule 25(2)(d) and Rule 25(2)(a) of the Andhra Pradesh Excise (Grant of Licence of Selling by Bar and Conditions of Licence) Rules, 2025 and contrary to the directive issued

by the Hon'ble Apex Court in the case of *State of Tamil Nadu v. K. Balu and another*¹ and an application was made to the 4th respondent in this regard, basing upon the complaint, the 4th respondent as issued a notice to the 5th respondent dated 15.03.2026, the said notice was assailed in W.P. No.8533 of 2026 and a Coordinate Bench of this High Court has set aside notice dated 15.03.2026 on the ground of violation of principles of natural justice and the 4th respondent is at liberty to proceed in accordance with law.

Learned counsel appearing for the petitioner would submit that despite the said order passed by the Coordinate Bench of this Court, the respondents have not taken any steps.

Hence, the 4th respondent is directed to take appropriate action against the respondents in accordance with law by following orders of this Court in W.P. No.8533 of 2026, dated 02.04.2026.

List the matter on 18.06.2026.”

//TRUE COPY//

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The District Prohibition and Excise Officer, Machilipatnam, Krishna District 521001. (by RPAD)
2. One CC to Sri Ravula Nagarjuna, Advocate [OPUC]
3. Two CCs to GP FOR PROHIBITION EXCISE, High Court of Andhra Pradesh. [OUT]
4. One spare copy.

PSD

¹ (2017) 2 SCC 281

HIGH COURT

TRR,J

DATE:27/04/2026

NOTE: LIST THE MATTER ON 18.06.2026

ORDER

WP.No.7540 of 2026

DIRECTION

