

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

THURSDAY, THE SEVENTEENTH DAY OF APRIL ✓

TWO THOUSAND AND TWENTY FIVE ✓

:PRESENT: ✓

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR ✓

WRIT PETITION NO: 9883 OF 2025 ✓



Between:

Gundagoni Yadagiri, S/o. G. Gopaiah, aged about 54 years, R/o. D.No. 17-45/7, Main Road, Vengalayapalem Guntur City, Guntur District. ✓

...Petitioner ✓

AND

1. The State of AP, Rep. by its Principal Secretary to Government, Revenue(Excise) Department, Secretariat, Velagapudi, Amaravati, Guntur District. ✓
2. The Commissioner of Prohibition and Excise Department, Mangalagiri, Andhra Pradesh. ✓
3. The District Prohibition and Excise Officer, Guntur District, Guntur. ✓
4. The Station House Officer, Prohibition and Excise Station, Guntur - II, Guntur 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 orders more particularly, one in the nature of Writ of Mandamus ✓ declaring the action of the Respondent No. 4 in issuing notice dated 09-04-2025 ✓ directing the petitioner to submit rent agreement through original owner pertaining to rented premises of the petitioner to an extent of Ac 0-25 Cents in Sy.No. 176/1A of Repudi Village, Phirangipuram Mandal, Guntur District as illegal, arbitrary, high handed and consequently set aside the same. ✓

IA NO: 1 OF 2025

Petition under Section 151 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 stay of all further proceedings in pursuant to the notice dated 09-04-2025 directing the petitioner to submit rent agreement through original owner, Pending disposal of WP 9883 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 SARANU PHANI TEJA Advocate for the Petitioner, and of GP for Excise Department for Respondent Nos.1 to 4, and the Court made the following ORDER:

“The present writ petition is filed questioning the notice dated 09.04.2025 issued by the 4th respondent on the ground that the said authority unilaterally has come to the conclusion that one Sri Dodda Pratap Reddy is the owner of the premises in which the petitioner is running A-4 shop.

On perusal of the documents filed along with the writ petition, it is clear that the petitioner was issued Form A-4 license on 20.03.2025 and the same is subsisting till 30.09.2026. Before issuance of the license, the petitioner has furnished rental agreement dated 17.03.2025 executed by one Sri Thippareddy Kasiviswanadha Reddy. The impugned notice was issued directing the petitioner to furnish a fresh rental agreement from Sri Dodda Pratap Reddy.

The petitioner further contends that there is a civil suit is pending in O.S.No.50/2023 on the file of learned Senior Civil Judge, Sattenapalli for partition. Since the matter seized by the competent Civil Court and the rights of the parties are not decided, the 4th respondent ought not to have issued impugned notice.

In view of the same, there shall be interim suspension of notice dated 09.04.2025 issued by the 4th respondent.

Post the matter after two (2) weeks. ✓

In the meantime, learned counsel for the respondents is directed to file counter affidavit." ✓

SD/- M.PRABHAKARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Principal Secretary to Government, Revenue (Excise) Department, State of AP, Secretariat, Velagapudi, Amaravati, Guntur District. ✓
2. The Commissioner of Prohibition and Excise Department, Mangalagiri. Andhra Pradesh. ✓
3. The District Prohibition and Excise Officer, Guntur District, Guntur. ✓
4. The Station House Officer, Prohibition and Excise Station, Guntur - II, Guntur District. (Addresses 1 to 4 by RPAD) ✓
5. One CC to SRI. SARANU PHANI TEJA, Advocate [OPUC] ✓
6. Two CCs to GP for Excise Department, High Court of Andhra Pradesh. [OUT] ✓
7. One spare copy

KN

HIGH COURT

TCDS,J

DATED:17/04/2025

POST THE MATTER AFTER TWO (2) WEEKS

ORDER

WP.No.9883 of 2025

INTERIM SUSPENSION

