



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



THURSDAY, THE NINTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 26578 OF 2025

Between:

Poosarla Venkata Rao, S/o. Late Rama Rao, Aged about 63 years, R/o.
D.No. 12-17/1, Pedda Bazar Street, Chodavaram Village And Mandal,
Anakapalli District, Erstwhile Visakhapatnam District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Home Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Superintendent of Police, Anakapalli, Anakapalli District, Erstwhile Visakhapatnam District.
3. The Station House Officer, Chodavaram Police Office, Anakapalli District, Erstwhile Visakhapatnam 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 one in the nature of Writ of Mandamus declaring the action of the 3rd Respondent and others in interfering with the Petitioners business Activity of dealership while permission obtained from Government of India as illegal, arbitrary, unjust, without jurisdiction and consequently direct the 3rd Respondent and others not to interfere with Petitioners business activity.

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 direct the 3rd Respondent not to interfere with the Petitioners business Activity, pending disposal of the main Writ Petition.

Counsel for the Petitioner: SRI P SARASWATHI

Counsel for the Respondents: GP FOR HOME

The Court made the following Order:



IN THE HIGH COURT OF ANDHRA PRADESH
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[3396]

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TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 26578/2025

Between:

1. POOSARLA VENKATA RAO, S/O. LATE RAMA RAO, AGED ABOUT 63 YEARS, R/O. D.NO. 12-17/1, PEDDA BAZAR STREET, CHODAVARAM VILLAGE AND MANDAL, ANAKAPALLI DISTRICT, ERSTWHILE VISAKHAPATNAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE SUPERINTENDENT OF POLICE, ANAKAPALLI, ANAKAPALLI DISTRICT, ERSTWHILE VISAKHAPATNAM DISTRICT.
3. THE STATION HOUSE OFFICER, CHODAVARAM POLICE OFFICE, ANAKAPALLI DISTRICT, ERSTWHILE VISAKHAPATNAM DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. P SARASWATHI

Counsel for the Respondent(S):

1. GP FOR HOME

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 26578 of 2025

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

“...to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd Respondent and others in interfering with the Petitioners business Activity of dealership while permission obtained from Government of India as illegal, arbitrary, unjust, without jurisdiction and consequently direct the 3rd Respondent and others not to interfere with Petitioners business activity, and pass....”

2. Heard Ms.P.Saraswathi, learned counsel for the Petitioner and Sri V.Farooq, learned Assistant Government Pleader for Home for the respondents.
3. Learned counsel for the Petitioner would submit that the petitioner purchases and sells some chemicals for which license under Explosive is not required as informed by the Deputy Chief Controller of Explosives vide letter dated 15.02.2023. Learned counsel for the Petitioner would further submit that their Arms license has expired and it is pending for renewal. Learned counsel would further submit that the police are frequently visiting Petitioner's shop and interfering in the business activity of the Petitioner. She would further submit that protection may be given to the Petitioner from unnecessary interference of the police.

4. Learned Assistant Government Pleader for Home brought to the notice of this Court that the shop of the Petitioner is situated in a narrow route, hence, it poses challenge to the public safety. He would further submit that as per instructions of the Superintendent of Police, the police personally inspected the shop and found that it is not safe. He would further submit that a case in Crime No. 235 of 2021 under Sections 304-II, 286, 336, 338 of IPC & Section 9(B) of the Explosive Act, is also pending against the Petitioner.

5. Refuting the said statement, learned counsel for the Petitioner would submit that the Petitioner was shown as accused in Crime No. 235 of 2021, simply on the count that the main accused in the said case purchased the chemicals from the shop of the Petitioner, except that, nothing is alleged against the Petitioner in the said case. Furthermore, the name of the Petitioner is not mentioned in the FIR in Crime No. 235 of 2021.

6. Considering the submissions made and on perusal of material placed on record, since the chemicals are purchased by the Petitioner and sold to others in retail and the said chemicals do not require Explosives License, the Police are directed not to interfere in the business activities of the Petitioner, but, take necessary steps to avoid any untoward incidents. It does not preclude the police to follow the due process of law for public safety.

7. With these observations, this Writ Petition is disposed of. There shall be no Order as to costs.

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

//TRUE COPY//

**Sd/- T. SRINIVASA RAO
ASSISTANT REGISTRAR**


SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Superintendent of Police, Anakapalli, Anakapalli District, Erstwhile Visakhapatnam District.
3. The Station House Officer, Chodavaram Police Office, Anakapalli District, Erstwhile Visakhapatnam District.
4. One CC to Sri P SARASWATHI, Advocate [OPUC]
5. Two CCs to GP for HOME High Court of Andhra Pradesh [OUT]
6. Two CD Copies

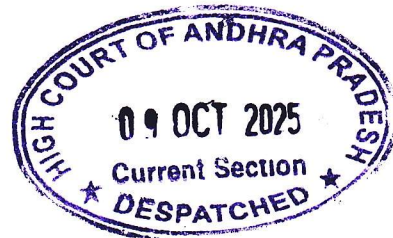
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HIGH COURT

DATED:09/10/2025

ORDER

WP NO. 26578 OF 2025



**DISPOSING OF THE WRIT PETITION WITHOUT
COSTS**