

[3330]

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

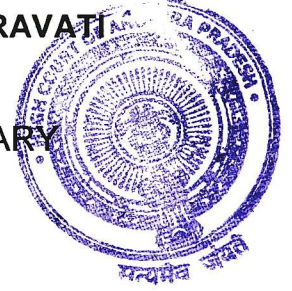
WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 26042 OF 2024



Between:

1. Sri Chandrapu Thoyaj, S/o Veera Venkata Surya Prakash Rao late Aged 62 years, R/o Pindiproluvari Street, Near TTD Kalyanamandapam Kakinada District, Andhra Pradesh.
2. Sri. Paravastu Pattarabhiran Janardhan, S/o Raghavacharyulu, Aged 41 years, Pindiproluvari Street, Kakinada Kakinada District, Andhra Pradesh.
3. Sri. Pithani Srinivasarao, S/o Veera Raghavulu, Aged 55 years, R/o Avasaralavari Street, Balajicheruvu, Kakinada, Andhra Pradesh.
4. Sri. Degala Satya Suresh, S/o Satyababu, Aged 33 yetirs, R/o Pindiproluvari Street, Ramayalam Kakinada, Kakinada District, Andhra Pradesh
5. Sri. Chimalakonda Maruthi Venkata Ram, S/o Venkata Surya Kameswararao, Aged 47 years, R/o Pindiproluvari Street, Behind TTD, Kakinada, Andhra Pradesh.
6. Sri. Sirivella Ganesh Babu, S/o Anjaneyulu, Aged 54 years, R/o Pulavarthyvari Street, Kakinada District, Andhra Pradesh.
7. Sri. Lanka Venkata Srinivasarao, C/o Venkata Srinivasa Rao Aged 67 years, R/o Duggiralavari Street, Vinayaka Temple, Kakinada Andhra Pradesh.
8. Sri. V. Venkata Nagesh Sharma, S/o V. Venkata Ramana Late Aged 74 years, R/o Duggiralavari Street Kakinada, Andhra Pradesh.

9. Sri. Degala Satish Kumar, S/o Degala Venkanna Late Aged 48 years,
R/o Prejar Peta, Kakinada Distriet Andhra Pradesh.

Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary to
Government Revenue (Excise) Department, Tulluru, Secretariat
Buildings Velagapudi, Guntur District Andhra Pradesh.
2. The District Collector, Kakinada, Kakinada District Andhra Pradesh-
533001
3. The Commissioner of Prohibition and Excise, Petrol bunk junction left
turn, NH214, Nagamallithota, 5 Buildings center, Paidavari Veedi,
Nagavanam, Rajeshwari Nagar, Kakinada, Andhra Pradesh 533003.
4. The Superintendent, Prohibition and Excise Department,
Nagamallithota, 5 Buildings center, Paidavari Veedi, Nagavanam,
Rajeshwari Nagar, Kakinada, Andhra Pradesh - 533003.
5. Sri. Vadlamuri Somaraju, S/o Saibaba, Occ: Business, Aged 40 years,
Beside TTD Kalyanamandapam Kakinada, Andhra Pradesh -533001.

Respondents

Whereas 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 an appropriate writ more in the nature of Writ of Mandamus declaring the action of the Respondents in not considering their case nor giving any opportunity of personal hearing to explain their grievance resisting the move on the part of the Respondent Nos. 3 and 4 and going ahead with the issuance of permanent license to run the wine shop business being established by the unofficial Respondent in the vicinity of religious place/school/hospital/ residential zone, in most hurried manner without considering the objections raised by the Petitioners as being arbitrary, illegal and violating Articles 14, 16 and 21 of the Constitution of India, against the principles of natural justice and also in contravention of the Excise and Prohibition Act and the Rules framed thereunder and consequently direct the

Respondents to cancel the provisional license granted to the 5th Respondent and issue such other writ or order or direction as deemed fit and proper in the circumstances of case.

AND whereas the Court upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI SRI VIJAY MATHUKUMILLI, Advocate for the Petitioners, learned GP FOR REVENUE for the Respondent Nos.1&2, learned GP FOR PROHIBITION & EXCISE for the Respondent Nos.3 to 5, appointed Sri Kambampati Ramesh Babu, as Advocate Commissioner to visit the premises.

Therefore you viz;

Sri Kambampati Ramesh Babu, Advocate

are hereby appointed as Advocate Commissioner, you shall visit the premises to ascertain whether respondent No.5 is operating the shop with two permit rooms contrary to the license conditions, within the radius of 100 meters at Balaji Cheruvu Center, Kakinada.

You are informed that your fee for this purpose is fixed Rs.30,000/- (Rs.15,000/- each from the petitioner and respondent No.5) excluding expenses.

//TRUE COPY//

For

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. Sri Kambampati Ramesh Babu, Advocate (By SPECIAL MESSENGER- along with copy of petition & affidavit and all material papers)
2. One spare copy

Kj

HIGH COURT

TRR,J

DATED:11/02/2026

LIST THE MATTER AFTER TWO WEEKS

ORDER

WP.No.26042 of 2024

APPOINTMENT OF ADVOCATE COMMISSIONER

