

APHC010507512024



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

**[3330]**

TUESDAY, THE TWENTY FIRST DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

**WRIT PETITION NO: 26042/2024**

**Between:**

1. SRI CHANDRAPU THOYAJ, S/O VEERA VENKATA SUIYA 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 SUIYA 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.

**...PETITIONER(S)**

**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, PAIDA VARI VEEDI, NAGAVANAM, RAJESHWARI NAGAR, KAKINADA, ANDHRA PRADESH 533003.
4. THE SUPERINTENDENT, PROHIBITION AND EXCISE DEPARTMENT, NAGAMALLITHOTA, 5 BUILDINGS CENTER, PAIDA VARI VEEDI, NAGAVANAM, RAJESHWARI NAGAR, KAKINADA, ANDHRA PRADESH - 533003.
5. SRI VADLAMUI SOMARAJU, S/O SAIBABA, OCC BUSINESS, AGED 40 YEARS, BESIDE TTD KALYANAMANDAPAM KAKINADA, ANDHRA PRADESH -533001.

**...RESPONDENT(S):**

**Counsel for the Petitioner(S):**

1.SRI VIJAY MATHUKUMILLI

**Counsel for the Respondent(S):**

1.N SIVA REDDY

2.GP FOR PROHIBITION EXCISE

3.GP FOR REVENUE

**The Court made the following:**

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO****WRIT PETITION NO: 26042/2024****ORDER:**

1. Initially, the Writ Petition is filed questioning the acts of the Respondents in granting A4 License to the unofficial respondents to run Wine shop business contrary to Rule 24 of the G.O.Ms.No.210/REVENUE (EXCISE) DEPARTMENT, dated 30.09.2024 and its covenant to guidelines in G.O.Ms.No.235 Transport, Drugs and Buildings department, dated 20.09.2019, 2019. Hence, prayed to direct the respondents to cancel A4 license granted in favour of 5<sup>th</sup> Respondent, pending consideration of the Writ Petition.

2. The Counsel for the Petitioner submitted that the unofficial respondent has established two permit rooms, contrary to the rules. To establish the same, he requested to appoint an Advocate Commissioner to record the physical features.

3. In this regard, this court appointed an Advocate – Commissioner and the Advocate Commissioner report and the photographs filed by the Advocate Commissioner depicts that the respondent/licensee is having only one permit room. The counsel says that the said permit room is established by the unofficial respondent opposite to the A4 license shop, not adjacent to the A4 shop as per the rules where license is granted to run business. However, now

requests permission to permit the petitioner to withdraw the Writ Petition and permit the writ petitioner to file fresh petition on different grounds and the same is endorsed on the bundle.

**4.** Petitioner is accorded permission for withdrawal of the writ petition and permitted to file fresh petition on any other grounds.

**5.** Accordingly, Writ Petition is dismissed as withdrawn. No costs.

Consequently, pending miscellaneous petitions, if any, shall stand closed.

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JUSTICE TARLADA RAJASEKHAR RAO

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Date: 21.04.2026

147

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 26042 / 2024

DATED: 21-04-2026

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