

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

WEDNESDAY, THE TWENTY FOURTH DAY OF JUNE,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 28653 OF 2024

Between:

Esanaka Siva Prasanna Reddy, son of Srinivasulu Reddy, aged about
42 years, Occ: Business, resident of Narikellapalli, Nellore, SPSR
Nellore District

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Prohibition and Excise Department, Secretariat Building, Velagapudi, Guntur District.
2. The Commissioner of Prohibition and Excise Department, Vijayawada, AP.
3. The District Collector and Magistrate, SPSR Nellore District, Nellore
4. The Assistant Commissioner of Prohibition and Excise, Nellore District. Nellore, SPSR.
5. The Deputy Commissioner of Prohibition and Excise Department, Nellore, SPSR Nellore District.
6. The District Prohibition and Excise Officer, Nellore, SPSR Nellore District.
7. The Station House Officer, Prohibition and Excise, Station, Nellore-1

...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 a Writ, Order Or direction more particularly one in the

nature of writ of Mandamus by declaring the impugned proceedings viz., Notice vide Rc.No.30/2024/A1 dated 30.11.2024 of the 6th respondent directing to relocate the existing petitioner's A-4 liquor shop namely. M/s Lucky wines from the premises i.e., D.No.8-78-24, Walkers Road, Parameswari Nagar, Nellore to any other place after permitting the petitioner to commence the business operations after due verifications as illegal, arbitrary, unconstitutional, without any jurisdiction and contrary to the scheme of Andhra Pradesh Excise (Grant of Licence of Selling by Shop and Conditions of Licence) Rules, 2024 notification as issued through G.O.Ms.No.210 Revenue (Excise) Department dated 30.09.2024 and consequently set aside the impugned proceedings.

IA NO: 1 OF 2024

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 connection with Notice vide Rc.No.30/2024/A1 dated 30.11.2024 of the 6th respondent by granting police protection to the petitioner's shop M/s Lucky wines of the premises i.e., D.No.8-78-24, Walkers Road, Parameswari Nagar, Nellore, Pending disposal of WP 28653 of 2024, 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 the earlier orders of the High Court dated: 05.12.2024, 05.11.2025, 06.02.2026, 27.02.2026 & 21.04.2026 made herein and upon hearing the arguments of Sri V. SURENDRA REDDY, Advocate for the Petitioner and of GP FOR REVENUE for the Respondent No.3 and of Sri P.NAGARAJU, GP FOR PROHIBITION & EXCISE for the Respondent Nos.1, 2 & 4 to 7, the Court made the following;

ORDER:

This Writ Petition is of the year 2024.

Two years down the line, no counter-affidavit has been filed though the point involved is very short.

In the said circumstances, this Court feels it appropriate to direct the Principal Secretary, Prohibition and Excise Department Secretariat, to instruct the subordinates to see that the counter-affidavit is filed within time. The Commissioner shall also explain as to why counter-affidavit could not be filed for the last two (02) years.

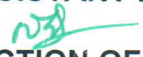
Registry is directed to send a copy of this Order to the Principal Secretary, Prohibition and Excise Department Secretariat/respondent No.1, forthwith.

List the matter on 29.06.2026.

Interim order granted on the earlier occasion shall stand extended, for a further period of two (02) weeks.

SD/- N.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Prohibition and Excise Department, The State of Andhra Pradesh, Secretariat Building, Velagapudi, Guntur District. (by SPECIAL MESSENGER) ✓
2. The Commissioner of Prohibition and Excise Department, Vijayawada, AP. (by SPEED POST)
3. One CC to Sri. V SURENDRA REDDY, Advocate [OPUC]
4. Two CCs to GP FOR PROHIBITION & EXCISE, High Court of Andhra Pradesh. [OUT]
5. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
6. The Section Officer, Writ Non-Service Section, High Court of Andhra Pradesh.
7. One spare copy ✓

JSS

HIGH COURT

RC, J

DATED: 24.06.2026.

LIST THE MATTER ON 29.06.2026.

ORDER



WP.No.28653 of 2024

INTERIM ORDER EXTENDED