APHC010118222026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3332]
(Special Original Jurisdiction)

MONDAY,THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 6561/2026

Between:

1. V V V SATYANARAYANA, S/O. V. NAKULUDU, AGED 50 YEARS, OCC BUSINESS, BAR LICENSEE (GAZETTE SI.NO.2B/EG/GK/02) R/O. 4-75, KALAVALAPALLI ROAD, CHAGALLU MANDALAM, UNAGATIA, WEST GODAVARI, ANDHRA PRADESH - 534 342.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, PROHIBITION AND EXCISE DEPARTMENT, A.P. SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE COMMISSIONER AND DIRECTOR, PROHIBITION AND EXCISE, EXCISE COMPLEX, R.S.N0.88-2B, SAI VIHAR APARTMENTS, POULTRY FARM ROAD, PRASADAMPADU (V), VIJAYAWADA-521108.
3. THE DISTRICT PROHIBITION AND EXCISE OFFICER, LICENSING AUTHORITY, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT, ANDHRA PRADESH.
4. THE RAJAMAHENDRAVARAM MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT.

...RESPONDENT(S):

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 in the nature of a WRIT OF MANDAMUS by declaring the highhanded action of the 3rd Respondent in issuing Gazette No.36 dated 18.08.2025 for the License one Period for years 2025 - 2028 by fixing Retail Excise Tax (RET) at Rs.37,50,000/- for the year 2025-2026 by erroneously treating the population Rajamahendravaram Municipal Corporation as nearly 5,00,000 by including 11 villages in the Municipal Corporation even though they have not been merged in the Municipal Corporation till now without taking into consideration the population of 3,43,903 as per the 2011 census, as arbitrary, illegal, in violation of principles of natural justice. Articles 14 and 19(1)(g) of the Constitution of India and contrary to Rule 2(t) and Rule 18 of the A.P. Excise (Grant of License of Selling by Bar and Conditions of License) Rules, 2025 and consequently set aside the same by directing the Respondent Authorities to re-fix the Retail Excise Tax (RET) payable strictly based on the official population of 3,43,903 as per 2011 census by classifying Rajamahendravaram Municipal Corporation in the population slab of below 5 lakhs and to accordingly fix the license fee at Rs.27,50,000/- for the license year 2025-2026 and to pass

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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 respondents to fix the Retail Excise Tax (RET) payable by the petitioner in accordance with Rule 18 of the A.P. Excise (Grant of License of Selling by Bar and Conditions of License) Rules, 2025 by taking the population of Rajamahendravaram Municipal Corporation as 3,43,903 as per 2011 census pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1. GINJUPALLI SUBBA RAO

Counsel for the Respondent(S):

1. GP FOR PROHIBITION EXCISE
2. A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)

The Court made the following:

ORDER:

Sri T.Ramesh Babu, learned counsel representing Sri Ginjupalli Subba Rao, learned counsel for the petitioner and Sri Naga Raju Pullagura, learned Government Pleader for Prohibition Excise collectively submitted that the cause in the writ petition does not survive and has become infructuous and there remains nothing for adjudication.

Recording the said submission, the Writ Petition is ***dismissed as infructuous***. There shall be no order as to costs.

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

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JUSTICE RAVI CHEEMALAPATI

Date: 15th June, 2026
RKS