

**THE HON'BLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.29970 of 2017**

**ORDER:**

The present writ petition is filed for the following relief:

“...to issue a Writ or order or direction more particularly one in the nature of WRIT OF MANDAMUS directing the Respondent Nos. 2 and 3 not to issue form A-4 license in favour of the Respondent No.4 basing on the lease deed dated 10.08.2017 at Survey No.514/4 of Gollalamamidada Village, Pedapudi Mandal, East Godavari District without considering the pendency of the suit proceedings in O.S.No.410 of 2017 on the file of II Additional Junior Civil Judge, Kakinada, East Godavari District and against Article 19(1)(g) and 21 of Constitution of India guaranteed to the petitioner...”

2. When the matter is taken up, a letter bearing Rc.No. PESKKD-Comp0Comp/57/2017-SA-B1(P&E)-KKD-EG, dated 08.09.2017, addressed by the Prohibition & Excise Superintendent, Kakinada, third respondent herein, to the Government Pleader for Prohibition and Excise (A.P), has been placed on record. The relevant portion of the said letter, for the purpose of present case, reads as under:

“ In this connection, I submit that the notice received from Sri G.Subrahmanyam, Advocate, Kakinada along with injunction order in I.A.No.952/2017 dated 07-08-2017 in O.S.No.410/2017 has been sent to the Station House Officer, Kakinada South for enquiry and report vide reference 3<sup>rd</sup> cited. In the reference 4<sup>th</sup> cited, the Station House Officer, Kakinada (South) has reported that so far no proposal for establishment of A4 shop at Survey No.514/4 of G.Mamidada Village of Padapudi Mandal was received in his office.

I submit that A4 licence will not be granted as long as the injunction orders of the Civil Court are in force in respect of Survey No.514/4, G.Mamidada Village of Pedapudi Mandal.”

3. In view of the above, this writ petition is disposed of, by placing the said letter on record. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

---

**A.V. SESA SAI, J**

Date: 12.09.2017  
TJMR

