APHC010528782026

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

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 28789/2026

Between:

1. MR. KURVA LAKSHMI PRATAP,, S/O. SRI.K.PEDDA LAKSHMANNA, AGED ABOUT 36 YEARS, OCC BUSINESS, LICENSEE OF M/S. R.K.WINES, LOCATED AT SURVEY NO. 467, UYYALAWADA, VILLAGE, ORVAKAL MANDAL, KURNOOL DISTRICT-518002 R/O 3-30, B.0 COLONY, LADDAGIRI MOB 9030111256

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT REVENUE (EXCISE - II) DEPARTMENT, SECRETARIAT BUILDINGS, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT - 522237.
2. THE COMMISSIONER OF PROHIBITION AND EXCISE, GOVERNMENT OF ANDHRA PRADESH, VIJAYAWADA, NTR DISTRICT - 520001.
3. THE DIRECTOR, PROHIBITION AND EXCISE DEPARTMENT, VIJAYAWADA, NTR DISTRICT - 520001.
4. THE DEPUTY COMMISSIONER OF PROHIBITION AND EXCISE, GOVERNMENT OF ANDHRA PRADESH, KURNOOL, KURNOOL DISTRICT - 518001.

5. THE PROHIBITION AND EXCISE SUPERINTENDENT, KURNOOL, KURNOOL DISTRICT -518001.

...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 or order or orders or direction or any other order more particularly one in the nature of writ of mandamus or any other appropriate writ, order or direction declaring the action of the respondents in retaining and not returning the petitioners Fixed Deposit bearing No. 344D through Bank of India Kurnool Branch Customer ID 311889055 Ac. No. 864545110004948 for Rs.11,92,000/- dt 02.11.2024 furnished in connection with A4 License No. KNL/29/2024-26 for the period 2024 to 2026 on the alleged ground of non-payment of Permit Room License fee without following due process of law by considering the representation dt 09.09.2026 is as illegal, arbitrary, unjust, unreasonable and violative of principles of natural justice as well as Article 14, 21 and 300-A of Constitution of India apart from violation of provisions of the AP Excise (Grant of License of Selling by Shop and Conditions of License) Rules, 2024 issued in G.O.Ms.No.210, Revenue (Excise), Department dated.30.09.2024 and consequently direct the respondents consider and dispose of the petitioner representation dt 09.09.2026 for returning the Fixed Deposit bearing No. 344D through Bank of India Kurnool Branch Customer ID 311889055 Ac. No. 864545110004948 for Rs. 11,92,000/- dt 02.11.2024 and to pass such

IA NO: 1 OF 2026

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 may be pleased to direct the respondents consider and dispose of the petitioner representation dt:09.09.2026 for returning the Fixed Deposit bearing No. 344D through Bank of India Kurnool Branch Customer ID 311889055 Ac. No. 864545110004948 for Rs. 11,92,000/ dt:02.11.2024 forthwith pending disposal of the above writ petition in the interest of justice and pass such

Counsel for the Petitioner:

1. PULLA MADHUSUDAN REDDY

Counsel for the Respondent(S):

1. GP FOR PROHIBITION EXCISE

The Court made the following:

ORDER:

Aggrieved by the action of the respondents in retaining and not returning the petitioner's fixed deposit bearing No.344D through Bank of India, Kurnool Branch, Customer ID 311889055 Ac.No.864545110004948 for Rs.11,92,000/- dated 02.11.2024 furnished in connection with A4 License No.KNL/29/2024-26 for the period 2024 to 2026 on the alleged ground of non-payment of Permit Room License fee, without following due process of law by considering the representation dated 09.09.2026, the present writ petition is filed.

2. Heard Sri Butta Vijay Bhaskar, learned counsel representing Sri Pulla Madhusudan Reddy, learned counsel for the petitioner and Sri Naga Raju Pullagura, learned Government Pleader for Prohibition & Excise for the respondents.

3. Learned counsel for the petitioner while reiterating the contents of the affidavit filed in support of the writ petition contended that the petitioner made a representation dated 09.09.2026 to the 5th respondent requesting to pass release order for return of the fixed deposit of Rs.11,92,000/- made at the time of obtaining A4 license and the same is

pending. He further submitted that now the petitioner is not running the shop, as such, it would suffice if a direction is given to the 5th respondent to pass orders on the petitioner's representation, accordingly, prayed to pass appropriate orders.

4. On the other hand, learned Government Pleader for Prohibition & Excise submitted that the authorities would pass orders on the petitioner's representation, however, if any arrears are there, they would take steps in accordance with law, accordingly, prayed to pass appropriate orders.

5. Perused the record and considered the submissions made by the learned counsel for the parties.

6. Petitioner made representation dated 09.09.2026 requesting the 5th respondent to issue release order for return of the Fixed Deposit, so that the concerned bank may release the said amount in his favour and the same was not considered so far is the grievance. It is brought to the notice of this Court that now the petitioner is not running the A4 shop. In the said circumstances, as the relief sought is innocuous, instead of keeping the writ petition pending, this Court is inclined to dispose of the writ petition by passing the following order:

"The 5th respondent is directed to consider the petitioner's representation 09.09.2026 and pass orders on the same as expeditiously

as possible within a period of two (02) months from the date of receipt of a copy of this order.

It is needless to observe that if there are any arrears to be paid by the petitioner, the respondents are not precluded to take steps in accordance with law."

7. Accordingly, the Writ Petition is ***disposed of.*** 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: 28th October, 2026
RKS