APHC010570532026

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

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 31291/2026

Between:

1. SUDDULA NAGARAJU,, S/O. NAGESWARA RAO, AGED ABOUT 43 YEARS, KALIGIRI VILLAGE AND MANDAL, SPSR NELLORE DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, PROHIBITION AND EXCISE DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT. 522237
2. THE COMMISSIONER, PROHIBITION AND EXCISE DEPARTMENT, VIJAYAWADA, KRISHNA DISTRICT - 521 108.
3. THE DEPUTY COMMISSIONER, PROHIBITION AND EXCISE DEPARTMENT, NELLORE, SPSR NELLORE DISTRICT - 524 001.
4. THE DISTRICT PROHIBITION AND EXCISE OFFICER, NELLORE, SPSR NELLORE DISTRICT - 524 001.
5. THE STATION HOUSE OFFICER, PROHIBITION AND EXCISE STATION, KALIGIRI, SFSR NELLORE DISTRICT - 524 224.

...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 toto issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not granting provisional license in favour of the Petitioner for sale of Indian Made Foreign Liquor and Foreign Liquor, inspite of the payment of requisite fee an

amount of Rs.4,72,500.00 through challan No.11231599842026 towards 1/4th Instalment of Retail Excise Tax fee for GSL.No.NLR/112/2026-27, further payment of fee an amount of Rs.1,66,670.00 through challan No.11231629562026 towards 1 /3rd Permit room fee for the year 2026-27 for GSL.No.NLR/112/2026-27 and further payment of fee an amount of Rs.10,40,000.00 through challan No.11231630102026 towards 1/4th Instalment of Retail Excise tax fee of for GSL.No.NLR/112/2026-27 and also not releasing the stocks as illegal, arbitrary, void and arbitrary and violating the Articles 14, 19 and 21 of the Constitution of India and consequently to direct the respondents to supply the stocks to the Petitioner's shop by granting the Provisional license of A4 shop, as the payment was made to the Respondents

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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 supply the stocks to the Petitioner's shop by granting the Provisional license of A4 shop, as the payment was made to the Respondents

Counsel for the Petitioner:

1. LINGALA HAZARATHAIAH

Counsel for the Respondent(S):

1. GP FOR PROHIBITION EXCISE

The Court made the following:

ORDER:

The short grievance of the petitioner is that, despite payment of the requisite fee as per the rules for grant of A4 licence, the authorities have not issued the permanent licence and not released the stock.

2. Heard Sri Lingala Hazarathaiah, learned counsel for the petitioner and Sri Nagaraju Pullagura, learned Government Pleader for Prohibition and Excise, appearing for the respondents.

3. Learned counsel for the petitioner contended that the petitioner has paid a sum of Rs.16,79,170/- towards the retail excise licence fee for the sale of Indian Made Foreign Liquor and Foreign Liquor. Though a provisional licence has been issued, the authorities so far not issued the permanent licence nor released the stock. As such, prayed to pass appropriate orders protecting the interests of the petitioner.

4. On the other hand, learned Government Pleader, on instructions, submitted that, after payment of requisite fee, a provisional licence has already been issued and the stocks has also been released to the petitioner. Insofar as the permanent A4 licence is concerned, the petitioner has to submit certain documents. As and when the petitioner complies with the shortfalls, the authorities would take steps to issue the permanent licence as per law.

5. In reply, learned counsel for the petitioner contend that the petitioner will submit the documents as sought by the respondents and accordingly prayed to dispose of the writ petition by fixing a time limit for issuance of the permanent licence.

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

7. It is not in dispute that the petitioner has made an application by paying a substantial amount as per rules for establishment of a retail outlet, wherein a provisional licence has already been granted. The contention of the petitioner is that, despite payment of such amount, the stock has not been released. The contention of the learned Government Pleader that the stock has already released and that certain documents relating to the shortfalls are required to be submitted by the petitioner, upon submission of which the authorities can issue permanent licence. As the petitioner has intention to submit all the required documents as sought by the respondents, there is no purpose in going into merits and demerits of the case.

8. Accordingly, the Writ Petition is ***disposed of*** directing the petitioner to submit all the required documents as sought by the respondents. Upon such submission, the authority concerned shall issue the permanent licence to the petitioner in accordance with law, as expeditiously as possible, within a period of four (04) weeks therefrom. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Dt.04.11.2026
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THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

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