

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

FRIDAY, THE EIGHTEENTH DAY OF AUGUST, /
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA



WRIT PETITION NO: 20111 OF 2023

Between:

1. Karicheti Srinivasa Rao S/o. Chimpiraiah
Aged 51 years Occ : Proh. & Excise Constable,
M/s. Continental Wines Pvt. Ltd., Vijayawada
NTR District, AP
2. Katari Aruna D/o. Ramachandra Rao
Aged 37 years, Occ : Proh. & Excise Constable,
M/s. Swastic Pharma Pvt. Ltd., Tempalli (V)
Gannavaram Mandal, Krishna District, AP
3. Gedda Raja Rao S/o. G. Nageswara Rao
Aged 36 years, Occ : Proh. & Excise Constable,
M/s. B.R.K. Spirits Pvt. Ltd., Davuluru
Krishna District, Andhra Pradesh
4. D.D.P. Kumar S/o. D. Nakuludu
Aged 60 years, Occ : Proh. & Excise Constable,
M/s. B.V.S. Distilleries, Godavarru
Krishna District, Andhra Pradesh
5. M. Anusha D/o. Venkataramudu
Aged 34 years, Occ : Proh. & Excise Constable,
O/o. E.O. Industries, Assistant Commissioner's Office
Prasadampadu, Vijayawada, N.T.R. District, AP
6. Aduri Satyanarayana S/o. Venkateswara Rao
Aged 32 years, Occ: Proh. & Excise Constable
O/o. M/s. Swastic Pharma Pvt. Ltd.,
Tempalli Village, Gannavaram Mandal
Krishna District, Andhra Pradesh

..... Petitioners

AND

1. The State of Andhra Pradesh
Rep. by its Special Chief Secretary
Revenue (Excise) Department
A.P. Secretariat, Velagapudi
Amaravati, Guntur District.
2. The Commissioner of Prohibition & Excise
Andhra Pradesh, Vijayawada
N.T.R. District

3. The Commissioner, Special Enforcement Bureau, Andhra Pradesh, Mangalagiri, Guntur District.
4. The District Prohibition and Excise Officer, Krishna District, Machilipatnam, Andhra Pradesh

...Respondents

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 one in the nature of a writ of mandamus declaring the action of the 1st respondent in issuing G.O. Rt No. 678 Revenue (Excise) Department dt 31-07-2023 wherein formulating the guidelines for allocation of Head Constables and Constables between Special Enforcement Bureau and Prohibition and Excise Department and vice versa and consequential proceedings vide C.R.No. 2116/2023/CPE/A1-3 dated 01-08-2023 of the 2nd respondent wherein allotted the petitioners to Special Enforcement Bureau is illegal, arbitrary, unjust and violation of Articles 14 and 16 of the constitution of India and consequently set aside the same by directing the respondents to permit the petitioners to continue in Prohibition and Excise Department;

IA NO: 1 OF 2023

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 suspend the operation of G.O. Rt No. 678 Revenue (Excise) Department dt 31-07-2023 and consequential proceedings vide C.R.No. 2116/2023/ CPE/A1-3 dated 01-08-2023 of the 1st and 2nd respondents in so far as the petitioners are concerned and continue them in Prohibition & Excise Department, pending disposal of WP 20111 of 2023, 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 order of the High Court dated 08.08.2023 made herein and upon hearing the arguments of M/s. Kavitha Gottipati, Advocate for Petitioner and of GP for Excise for Respondents, the Court made the following ORDER:

"Post the matter on 22.08.2023.

Interim order granted earlier on 08.08.2023, is extended till then."

//TRUE COPY//

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to M/s. Kavitha Gottipati Advocate [OPUC]
2. Two CCs to GP for Excise, High Court of Andhra Pradesh. [OUT]
3. One spare copy.

CVSS

HIGH COURT

VS,J

DATED:18/08/2023

ORDER

Post the matter on 22.08.2023.

WP.No.20111 of 2023

INTERIM ORDER EXTENDED

