

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

MONDAY, THE TWENTY FIRST DAY OF AUGUST,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 20132 OF 2023

Between:

1. Kavuri Tata Rao S/o.K.Maridi
Aged 55 years, Occ :Proh. &Excise Constable,
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat, Ambedkar Konaseema District
Andhra Pradesh
- 2.G.N.V.Kumar S/o.Reddy
Aged 53 years, Occ :Proh. &Excise Constable,
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat, Ambedkar Konaseema District
Andhra Pradesh
- 3.Medisetty Bhavannarayana S/o.M.Ganga Rao
Aged 50 years, Occ :Proh. &Excise Constable,
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat, Ambedkar Konaseema District
Andhra Pradesh
- 4.G.H.R. Naidu S/o.Nageswara Rao
Aged 50 years, Occ :Proh. &Excise Constable,
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat, Ambedkar Konaseema District
Andhra Pradesh
- 5.Reddy Venkateswara Rao S/o.Bulli Saheb
Aged 54 years, Occ:Proh.&Excise Constable
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat, Ambedkar Konaseema District.
Andhra Pradesh
- 6.Pachimali China Veeraju S/o.Pedaveeranna
Aged 55 years, Occ:Proh.&Excise Constable
PMK Distilleries, Rangampeta, Kotapadu
East Godavari District, AP
- 7.R.Suryanarayana S/o.Nooka Raju
Aged 58 years, Occ:Proh.&Excise Constable
PMK Distilleries, Rangampeta, Kotapadu
East Godavari District, AP
- 8.L.Ananda Kumar S/o.L.Surayya
Aged 51 years, Occ:Proh.&Excise Constable
DMK Distilleries, Rangampeta, Kotapadu



East Godavari District, AP

9. Doddipatla Srinivasa Rao S/o.Vyaghri
Aged 52 years, Occ:Proh.&Excise Constable
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat,
Ambedkar Konaseema, Andhra Pradesh
10. Siddamsetti Venkateswara Rao S/o.S.Satyanarayana
Aged 60 years Occ :Proh. & Excise Constable,
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat, Ambedkar Konaseema District
Andhra Pradesh
11. Yannabathula Ramesh S/o.Y.Nageswara Rao
Aged 50 years, Occ:Proh.& Excise Constable
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat,
Ambedkar Konaseema, Andhra Pradesh
12. Lutukurti Yedukondalu S/o.L.Krishna Murthy
Aged 50 years, Occ:Proh.&Excise Constable
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat,
Ambedkar Konaseema, Andhra Pradesh
13. Petta Satyanarayana S/o.Narasimha Murthy
Aged 54 years, Occ:Proh.&Excise Constable
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat,
Ambedkar Konaseema, Andhra Pradesh
14. Kamuju Venkata Ramana S/o.Chinna Satyanarayana
Aged 62 years, Occ:Proh.&Excise Constable
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat,
Ambedkar Konaseema, Andhra Pradesh
15. Pechetty Janardhana Rao S/o.Narasimha Rao
Aged 58 years, Occ:Proh.&Excise Constable
APSBCL Depot, Amalapuram Bypass Road
Near N.Chandra Rao Ghat,
Ambedkar Konaseema, Andhra Pradesh
16. Kandukuri Sudher Kumar S/o.Rajasekhar
Aged 35 years, Occ:Proh.&Excise Constable
KBK Biotech (P)Ltd., Chinna Brahmadevaram(V)
East Godavari District, AP
17. Sangani N.V.Satish Babu S/o.S.Madhav Rao
Aged 39 years, Occ:Proh.& Excise Constable
O/o.Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP

18. Matta Suresh S/o. Babu Rao
Aged 33 years, Occ: Proh. & Excise Constable
O/o. Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP
19. Budumuri Srinivas S/o. Late Shankara Rao
Aged 49 years, Occ: Proh. & Excise Constable
O/o. Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP
20. Bura Appa Rao S/o. Balaramudu
Aged 56 years, Occ: Proh. & Excise Constable
O/o. Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP
21. S.V.R. Sudheer Raju S/o. Ramakrishna Raju
Aged 40 years, Occ: Proh. & Excise Constable
KEK Biotech (P) Ltd., Chinna Brahmadevaram(V)
East Godavari District, AP
22. B. Rajasekhar S/o. Ganeswara Rao
Aged 57 years, Occ: Proh. & Excise Constable
O/o. Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP
23. Kollapu Sahadevudu S/o. Late K. Sarasayya
Aged 43 years, Occ: Proh. & Excise Constable
BDH Agro Ventures, Koppavaram
East Godavari District, AP
24. V. Ramachandra Rao S/o. Late Narayana Murthy
Aged 55 years, Occ: Proh. & Excise Constable
O/o. Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP
25. Vanumu Siva Naga Raju S/o. Satyanarayana
Aged 55 years, Occ: Proh. & Excise Constable
O/o. The Assistant Commissioner of Proh & Excise (Distilleries)
Kakinada, East Godavari District, AP
26. Ch. Nageswara Rao S/o. Ch. Harichandrudu
Aged 52 years, Occ: Proh. & Excise Constable
O/o. The Assistant Commissioner of Proh & Excise (Distilleries)
Kakinada, East Godavari District, AP
27. Rokkam Prasanna S/o. Rambabu
Aged 32 years, Occ: Proh. & Excise Constable
A.C. Distilleries, Nukalamma Temple Street

Ramaraopeta, Kakinada, E.G. District, AP

28. Palatala Bala Jagadeesh S/o. Late Prakash Rao
Aged 36 years, Occ: Proh. & Excise Head Constable
Sri Sarvaraya Sugards, Chelluru, E.G. District, AP
29. K. Babu Rao S/o. Late K. Gnananandam
Aged 51 years, Occ: Proh. & Excise Head Constable
O/o. Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP
30. T. Sai Babu S/o. T. Subba Rao
Aged 60 years, Occ: Proh. & Excise Head Constable
KBK Biotech (P) Ltd., Chinna Brahmadevaram (V)
East Godavari District, AP
31. Diddi Subba Rao S/o. Bulli Veerraju
Aged 60 years, Occ: Proh. & Excise Head Constable
Sri Sarvaraya Sugards, Chelluru, E.G. District, AP
32. I. Srinivasa Rao S/o. China Suryanarayana
Aged 55 years, Occ: Proh. & Excise Head Constable
Artos Breweries Ltd., Ramachandrapuram
E.G. District, Andhra Pradesh
33. Mudugu Vara Prasad Kumar S/o. Late Atchiyya
Aged 58 years, Occ: Proh. & Excise Constable
O/o. Assistant Commissioner for Distilleries
Kakinada, Karri Complex, Kakinada
East Godavari District, AP
34. Chitti Thalli Bula D/o. Krishna Murthy
Aged 35 years, Occ: Proh. & Excise Constable
M/s Sri Sarvaraya Sugars Limited,
Chelluru Village, Rayavaram Mandal,
East Godavari District, AP

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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, East Godavari District, 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 Article 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 and Excise Department, pending disposal of WP 20132 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 orders of the High Court dated 08.08.2023 & 18.08.2023 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:

"At request of learned counsel for the petitioner/s, post the matter on 25.08.2023 under the caption 'for hearing' as a final chance.

It is made clear that no further adjournment would be granted either to the learned counsel for the petitioner or to the learned Government Pleader/s.

Interim order granted earlier is extended till then."

//TRUE COPY//

ASS

For ASSI

Sd/- P. VENKATA RAMANA
JOINT 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.

HIGH COURT

VS,J

DATED:21/08/2023

ORDER

POST THE MATTER ON 25.08.2023 UNDER THE CAPTION FOR HEARING AS
FINAL CHANCE

WP.No. 20132 of 2023

INTERIM ORDER EXTENDED

