

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 32429 OF 2015

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Between:

M. Venkatesh Goud ... Petitioner

Vs.

The State of Telangana

Rep.by its Prl. Secretary

Prohibition & Excise,

Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri G. Rajeshwar Rao

Counsel for the Respondents: GP for Prohibition & Excise [TG]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 32429 OF 2015

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ORDER :

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This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“To declare the action of respondent No.2 in issuing proceedings RC.No. B2/356/2015 dated 25/8/2015 suspending the licence bearing No.10/2007 dated 03/10/2012 valid upto 30/9/2017 of the petitioner’s shop at Aloor village, Jadcherla Mandal and on the same

day respondent No.2 issued show cause notice RC.No.B2/356/2015 dated 25/8/2015 for cancellation of license under section 31 (1) (b) of A.P. Excise Act, 1968 without giving any opportunity to the petitioner on the same day issued suspension order and show cause notice as illegal, arbitrary and contrary to the provisions of A.P. Excise Act, 1968 and violation of Article 19 (g) of Constitution of India and consequently to set aside the same and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.”

2. Heard Sri G. Rajeshwar Rao, learned counsel for the petitioner and learned Government Pleader for Prohibition and Excise for respondents.

3. During the course of arguments, it is brought to the notice of this court that by virtue of Proceedings Rc.No. B2/356/2015, dated 30/9/2015 of Prohibition and Excise Superintendent, Mahbubnagar, the licence of the petitioner was cancelled.

4. On noticing the same, it is requested by the learned counsel for the petitioner herein to give liberty to the petitioner to question the said proceeding of cancellation by closing the present writ petition.

5. In view of the above submission, the writ petition is closed, keeping it open to the petitioner to question the proceedings Rc.No. B2/356/2015, dated 30/9/2015 issued by the Prohibition and Excise Superintendent, Mahbubnagar before appropriate forum of law. No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

06/10/2015

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HONOURABLE SRI JUSTICE A.V. SESA SAI

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Date:06/10/2015

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Court Master: I s L