

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.3165 of 2015

ORDER:

Heard.

The petitioner states that it is carrying on business of Black Jaggery and Alum in the name and style of M/s.Laxmi Bhavani Enterprises at premises bearing H.No.1-4-5, Yellandu Road, Mahabubabad, Warangal District. The petitioner also states that respondent police have registered a case in Cr.No.243 of 2014 for the offence punishable under Section 34(e) of the A.P.Excise Act read with Section 5 of GUR Act. While the said case is pending, the petitioner alleges that the 7th respondent along with respondents 3, 5, 6 and 8 visited its shop and threatened to close down the shop and thereby, interfering with its business activities. Hence, the present writ petition is filed alleging interference.

Learned Government Pleader has received instructions from respondents 3, 5, 6 to 8, which specifically state that while illegally transporting black jaggery and alum, a case in Cr.No.243 of 2014 was registered and took up investigation. The representative of the petitioner along with his assistant appeared before the police on 09-11-2014 in response to the notice issued under Section 41 Cr.P.C. It is also stated that on 24-01-2015 the seized property was released to the petitioner as per the orders of the Additional Judicial First Class Magistrate, Mahabubabad and to the extent of allegation of interference is concerned, it is stated that neither of the respondents went to the petitioner's shop nor threatened the petitioner to close down the shop and they never harassed or interfered with the business activities of the petitioner.

In view of the said statement, therefore, the allegation of interference by the respondents is clearly unsubstantiated.

The writ petition is therefore disposed of giving liberty to the respondents to take appropriate action in accordance with law, in the event of any violation of law by the petitioner. However, day-to-day business activities

of the petitioner shall not be interfered with. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 23-02-2015

Prv