

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.36689 of 2015

ORDER:

The grievance of the petitioners was that the excise authorities have not considered their representation dated 06.11.2015. This representation was made in the context of the location of the proposed Government outlet at Yelamanchili. According to the petitioners if the said outlet is sanctioned in close proximity to their existing shops, it would lead to unhealthy competition and would render their outlets unviable.

Rule 25 of the Andhra Pradesh Excise (Grant of Licence of Selling by Shop and Conditions of Licence) Rules, 2012 (for brevity 'the Rules'), states that suitable premises are to be selected for establishing the shop. It is the case of the petitioners that 'suitability' would take within its ambit economic viability also.

Learned Government Pleader for Excise fairly stated before this Court that as the petitioners' representation dated 06.11.2015 was still pending consideration, all these aspects would be taken into account while dealing with the same.

The writ petition is accordingly disposed of directing the Prohibition and Excise Superintendent, Anakapalli, Visakhapatnam, the 4th respondent, to consider the petitioners' representation dated 06.11.2015 in accordance with the Rules and take appropriate action thereon. This exercise shall be completed expeditiously and in any event, not later than two weeks from the date of receipt of a copy of this order and before issuance of the licence in relation to the newly sanctioned shop.

Pending miscellaneous petitions, if any, shall stand closed in the light of this

final order. No order as to costs.

SANJAY KUMAR, J

Date:12.11.2015

GJ