

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.8820 of 2015

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ORDER:

Heard.

The petitioner states that he is carrying on business of black jaggery, alum and other kirana items in the name of M/s.Yashoda Enterprises at H.No.1-9/2 situated at Nanakramguda, Serilingampally Mandal, Ranga Reddy District. The present writ petition is filed by the petitioner alleging that though he has not committed any offence under the A.P.Excise Act or under the A.P.Prohibition Act, the respondents are not allowing him to carry on business. Therefore, he seeks a Mandamus against all the respondents viz., Excise authorities in Ranga Reddy District as well as Police authorities in Ranga Reddy District.

Learned Government Pleader for Excise has received instructions from the Prohibition and Excise Superintendent, R.R.District, which state that the petitioner was already found involved in several cases with regard to supply of black jaggery, possession of ID liquor and sale of ID liquor. The allegation that the respondents are not allowing the petitioner to carry on lawful business is denied. It is also stated that if the petitioner is carrying on lawful business, the excise authorities shall not interfere with his business, in view of the Circular instructions issued by the 2nd respondent. However, it is stated that as and when any violation of A.P.Excise Act or A.P.Prohibition Act is noticed, appropriate action will be initiated against the petitioner.

In view of the said instructions, therefore, the writ petition is disposed of directing the respondents that as long as the petitioner carries on lawful business, his day-to-day business activity shall not be interfered with. But, however, this will not preclude the respondents from taking appropriate action against the petitioner, if he is found violating the A.P.Excise Act or the A.P.Prohibition Act or any other law. No order as to costs.

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

VILAS V.AFZULPURKAR, J

Date: 07-04-2015

Prv

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