

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH  
(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF MARCH  
TWO THOUSAND AND FIFTEEN

PRESENT

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

**WRIT PETITION No. 4348 of 2015**

**BETWEEN**

M/s.Shiva Ganga Kirana and Jaggery Merchant,  
Rep. by its Prop. Bollepalli Venkanna.

**... PETITIONER**

**AND**

The State of Telangana, Rep. by its Principal Secretary (Department of  
Excise), A.P. Secretariat Building, Hyderabad and others.

**...RESPONDENTS**

**The Court made the following:**

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**ORDER:**

Heard.

2. Petitioner, who is carrying on business in the name and style of M/s.Shiva Ganga Kirana and Jaggery Merchant at D.No.8-17/14., Main Road, Nuthankal, Nalgonda District, and godown at D.No.3-71/3, Bikkamalla Village, Nuthankal Mandal, Nalgonda District, deals with agricultural produce including black jaggery. All the said goods are allegedly accompanied by appropriate way bills and are transported through the transaction of purchase and sale. Alleging that respondent Nos.2 to 9 are interfering with the lawful business of the petitioner and threatening him to stop the business, the

present writ petition is filed.

3. Instructions received by the learned Government Pleader, however, show that three criminal cases are registered against the petitioner so far in crime Nos.130, 155 and 164 of 2014 for the offence under Section 34(e) of the A.P.Excise Act, 1968 when it was found that he is selling black Jaggery through illicit liquor makers.

It is also stated that while the said crimes are under investigation, the petitioner filed the present writ petition on an apprehension and to prevent the police from taking any action in future. It is stated that except registration of three crimes, referred to above, respondent No.3 police has not taken any other steps including interference or threats to the petitioner, as alleged. It is also stated that with respect to other police stations i.e., Tungathurthy, Atmakur and Arvapally, there are no cases pending against the petitioner.

4. Learned Government Pleader has also received separate instructions from Thirumalayuapalem police station, wherein also it is stated that the said respondent police never visited the shop of the petitioner nor asked him to close down the business and that no cases are pending and registered against him within the limits of Thirumalayapalem Police Station.

4. Evidently, therefore, since the petitioner is already found involved in three offences, as referred to above, the present writ petition is filed with an attempt to obtain an order against all the police stations within Nalgonda, Warrangal and Khammam Districts. It is evident from the instructions, referred to above, except registration of three crimes, respondent No.3 has not taken any further action against the petitioner so as to obstruct his lawful business activity and no case is pending in other police stations so far as petitioner is concerned nor they have interfered with the petitioner's business nor threatened him, as alleged. While respondent No.3 is free to investigate and proceed further with regard to the crimes already registered against the petitioner, as long as petitioner's business activity is in accordance with law, he shall not be subjected to any harassment by the police. However, this will not preclude the respondents from taking further appropriate action against the petitioner in the event of any violation of law coming to the notice of any

of the respondents.

Writ petition is, therefore, disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

March 10, 2015  
**Lmv**