THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.2656 of 2016

ORDER:

The prayer of the petitioner – Toddy Tappers Cooperative Society, Bhongir, is as under:

> "For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ or Direction, more particularly one in the nature of Writ of Mandamus declaring the Cr.No.481/2015/C1, dated 16.01.2016 of the Respondent No.2, as illegal, arbitrary, contrary to law and violative of principles of natural justice and set aside the same and grant all consequential reliefs and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case."

The challenge in this writ petition is to the proceedings dated 16.01.2016 of the Prohibition and Excise Superintendent, Nalgonda, in relation to suspension of the licences of the depot as well as the constituent shops of the petitioner – society pending enquiry.

Learned Assistant Government Pleader for Prohibition and Excise also informed this Court that the petitioner – society submitted application dated 25.01.2016 under Rule 39 of the Andhra Pradesh Excise (Grant of Licence to Sell Toddy, Conditions of Licence and Tapping of Excise Trees) Rules, 2007 (for short 'the Rules of 2007').

Sri T.Amarnath Goud, learned counsel representing M/s. Amarnath Law Firm, learned counsel for the petitioner, fairly stated that in the light of the subsequent application made by his client under Rule 39 of the Rules of 2007, the excise authorities may be directed to consider the same in accordance with law and that the challenge in this writ petition may not be considered on merits owing to this subsequent development.

The writ petition is accordingly disposed of directing the excise authorities to take appropriate action in the matter upon the petitioner – society's representation dated 25.01.2016 in accordance with law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:16.02.2016

GJ