

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.33124 of 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Prohibition and Excise appearing for respondents.

2. Petitioners assailed proceedings dt.21-09-2016 issued by 3rd respondent suspending the petitioners' licence pending enquiry. The impugned order indicates that the said order has been passed on the ground that the toddy sold by the petitioner was adulterated with Alprazolam on the basis of certain reports from the Chemical Examiner, Regional Prohibition & Excise Laboratory, Hyderabad. The power to suspend pending enquiry is an inherent power and it is settled law that no prior notice is necessary for exercising such power. **(Toddy Cooperative Society, rep. by its President Pappanna Gari Chandra Goud, S/o Venkata Goud Vs. The Superintendent of Prohibition and Excise, The Inspector of Prohibition and Excise and The Commissioner of Prohibition and Excise, Government of Andhra Pradesh¹.)**

3. Therefore I am not inclined to interfere with the order of suspension. However, respondents shall commence and conclude enquiry into the allegations leveled against the petitioners as expeditiously as possible preferably within three months from the date

¹ 2004 (5) ALD 188

of receipt of a copy of this order after complying with the principles of natural justice and supplying to the petitioners the material on the basis of which the allegations have been leveled against the petitioners. This Court has not expressed any opinion on the merits of the contention of the petitioners.

4. Accordingly, the Writ Petition is disposed of. No costs.

5. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

Date: 13-10-2016
kvr

JUSTICE M.S.RAMACHANDRA RAO

