

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.23976 OF 2016

ORDER :

Petitioner has assailed the order dt.21.06.2016 of the 3rd respondent suspending the petitioner's toddy shop TFT license alleging that the contents of the toddy drawn by sample from the stock were adulterated.

2. Petitioner contends that the samples drawn on 29.03.2016 were sent to the Government Regional Prohibition and Excise Laboratory, Hyderabad for analysis on 18.05.2016 and by that date, the sample would have been useless.

3. I am not inclined to go into the said contention, since admittedly the matter is seized by the Additional Judicial First Class Magistrate, Bodhan and it was the said Court which sent the sample for analysis to the said laboratory.

4. As regards the contention of the petitioner that the petitioner's license cannot be suspended without notice is concerned, I am unable to agree with the said submission, since suspension pending enquiry is not required to be preceded by any notice under Section 31 of the A.P. Excise Act, 1968.

5. Therefore, the Writ Petition is disposed of directing the respondents to complete the enquiry into the allegations against the petitioner within two (02) months from the date of receipt of a copy of this order and communicate their decision thereon to the petitioner. There shall be no order as to costs.

6. Consequently, Miscellaneous Petitions pending if any, shall stand

closed.

M.S. RAMACHANDRA RAO, J

20th July, 2016.
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