THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.40580 of 2015

ORDER:

The prayer of the petitioner in this case is as under:

> "For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in threatening to issue the detention orders against the petitioner herein in terms of Sec. 3 of the A.P. Prevention of Dangerous activities of Boot Leggers, Dacoits, Drugs Offender, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 though the petitioner is doing the business in purchase and sale of black jaggery under valid TOT Registration Certificate issued from the office of Commercial Tax Department, as being illegal, arbitrary, unilateral and unconstitutional and consequently direct the respondents not to initiate the detention orders against the petitioner herein, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case."

The Prohibition and Excise Inspector, Nuzvid, filed a counter-affidavit, wherein he stated as under:

> "It is submitted that the allegation of the petitioner is threatening to detain me by way of initiating the proceedings under the P.D. Act, 1986 and implicate in false Ganja cases and open rowdy sheet is absolutely an apprehension only. If it is necessary to initiate proceedings under PD Act the authorities will initiate by following due procedure under the Act."

In the light of the afore-stated averments in the counter-affidavit, which are duly taken on record, it is clear that the writ petition was filed only upon an apprehension.

Sri Ramidi Sathyanarayana, learned counsel for the petitioner, is also agreeable to the closure of the case recording the afore-stated stand of the authorities.

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

JUSTICE SANJAY KUMAR

23rd February, 2016
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