

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.43556 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue an order, writ or direction, more particularly one in the nature of writ of *Mandamus* declaring the action of respondent cantonment Board contained in the Notice No.SCB/Health Branch/3627 and notice No.SCB/Health Branch/3628, both dated 06-12-2016 in closing and sealing the business places/establishments of the petitioners which are situated at Bungalow No.207/A, Balamrai, Secunderabad Cantonment, Secunderabad, for want of trade licenses under Section 277 of the Cantonment Act, 2006, as illegal and arbitrary and consequently invalidate the said notices/action and direct the respondent cantonment board not to interfere with the businesses/occupations of the petitioners.

Heard Sri Peri Prabhakar, learned counsel for the petitioners and Sri K.R.Koteswara Rao, learned Standing Counsel for Cantonment Board and perused the material available on record.

Considering the facts and circumstances of the case, the respondent herein is directed to permit the petitioners to run the businesses by removing the seal and petitioners are also directed to submit an application for the required licences to the respondent herein and on such application, the concerned authority is directed to decide the same in accordance with law.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, in the writ petition shall stand closed.

JUSTICE RAJA ELANGO

15th December, 2016
skmr

