

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION No. 27504 OF 2013

O R D E R:

This Writ Petition is filed under Article 226 of the Constitution of India to issue a direction against respondents not to interfere with the business activities of the petitioner and not obstruct him to carry on the business in jaggery and alum.

Petitioner is carrying on the business under valid licence to sell jaggery and alum in D.No. 1-10/3, Main Road, Ambedkar Nagar, Manthani Karimnagar, by purchasing jaggery and alum from various places like Chittoor, Anakapalli, Nizamabad and Medak Districts etc and selling the said commodity to various customers under valid bills.

Black Jaggery is an agricultural produce and there is no prohibition against the sale and purchase of black jaggery and this Court passed an order in W.P.No. 18378 of 2007 dated 13.8.2007 directing the official respondents not to interfere with the purchase and sale of black jaggery and alum under proper bills but the respondents are making attempts to interfere with the business, which is volative of Article 19 of the Constitution of India, therefore, sought for the above directions against respondents.

Respondents filed counter denying the material allegations and specifically asserting that the respondents neither visited the business activities of the petitioner nor harassed or threatened him as alleged in the affidavit and as a precautionary measure to prevent the police from taking any action in the event of lodging of any complaint against the petitioner's

unlawful activities, the petitioner approached this Court and sought the relief.

No doubt interference of officials of the respondents in the business being carried on by the petitioner legally amounts to violation of infringement of right to carry on the business, which is violative of Article 19 of the Constitution of India. But for any reason petitioner violates the terms and conditions of licence and indulged in any illegal activities of sale, purchase of black jaggery, alum and other items prohibited under the Act, the respondents can certainly take action against the petitioner. Therefore, the respondents are hereby directed not to interfere with the business being carried on by petitioner as long as the petitioner carries on the business activities of sale, purchase of black jaggery, alum and other permitted products as per licence without indulging in any illegal activities prohibited by any Act or any law or any circular or G.O issued by the Government.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date: 17.09.2016

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