

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.41201 of 2015

ORDER:

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

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble court may be pleased to grant an order, direction or writ, more so in the nature of WRIT OF MANDAMUS declaring the action of the respondent No. 3 and 4 in issuing proceedings in Cr.No. Spl/Dpt/2013 dated 18.09.2015 and calling for the information in proforma annexed to it and further interfering with life and liberty of the petitioners by threatening the petitioners to implicate in false cases and coercive actions as illegal, arbitrary, highhanded, apart from being violative of article 14 of Constitution of India, and with a consequently direct the respondent No. 3 and 4 to not to interfere with life and liberty of the petitioners and set aside the proceedings in Cr.No.Spl/Dpt/2013 dated 18.09.2015 and pass such other order or orders as this Hon'ble court deems fit and proper in the circumstances of the case.”

On 23.02.2016, this Court passed the following interim order:

“Sri G. Kalyan Chakravarthy, learned counsel for the petitioner companies, states that the employees of the companies are being subjected to harassment for not divulging the mobile numbers and ration card numbers of the customers.

Subject to the petitioner companies providing details as to the identity of the customers who have purchased black jaggery from them, the respondents are directed not to pressurize the employees of the petitioner companies in relation to furnishing of mobile numbers and ration card numbers of the customers.”

A counter-affidavit was filed by the Assistant Prohibition and Excise Superintendent, Dhoolpet, stating that information was sought as to transactions in relation to black jaggery so as to arrest proliferation of illicitly distilled liquor.

As the counter-affidavit was silent as to how the excise authorities could insist upon furnishing of the mobile numbers and ration card numbers of the customers of the petitioner companies, the learned Assistant Government Pleader for Excise was asked to get instructions in this regard.

Today, the learned Assistant Government Pleader informs this Court that the excise authorities are not going to insist upon furnishing of the mobile numbers and ration card numbers of the customers and it would suffice if the petitioner companies furnish the other details mentioned in the proforma which is filed at page No.13 of the material papers.

The afore-stated undertaking is taken on record. The petitioner companies shall therefore be bound to furnish all other details required under the proforma, which is filed at page No.13, except the mobile number and ration card number of each customer.

The writ petition is disposed of with the afore-stated directions. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

18th March, 2016
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