

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.4825 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Nos.1 to 4 in proposing to permit the 5th Respondent for shifting his licensed premises from Mallela Village of Tiruvuru Mandal, Krishna District to Penugolanu Village of Gampalagudem Mandal, Krishna District as illegal, arbitrary, and contrary to the provisions of A.P.Excise Act and the Rules made there under and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

The Prohibition and Excise Superintendent, Vijayawada, filed a counter-affidavit stating that the application filed by the fifth respondent for shifting his A4 shop from Mallela Village to Penugolanu Village of Gampalagudem Mandal was forwarded to the Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad, but the same was rejected vide letter bearing Cr.No.573/2016/CPE/E1 dated 11.02.2016.

In the light of the aforestated averment made in the counter-affidavit, it is clear that the apprehension of the petitioner that the excise authorities would permit shifting of the fifth respondent's shop to Penugolanu Village is unfounded.

The writ petition is dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date:12.04.2016

PGS