

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.30610 OF 2017

Date 11.09.2017

Between:
L.Bhanu.

... Petitioner

AND

The State of A.P. rep. by its Principal Secretary, Home
Department, Secretariat, Velagapudi, Amaravathi,
Guntur District and others.

.....Respondents



HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.30610 of 2017

ORDER:

The complaint of the petitioner is that CITU Union is not allowing her to carry on the business notwithstanding the licence for sale of Indian Made Foreign Liquor/Foreign Liquor under the A.P. Excise Act.

Learned Counsel for the petitioner also places on record the communication dated 05.09.2017 addressed by the Prohibition and Excise Superintendent, Visakhapatnam to the Commissioner of Police, Visakhapatnam, that closure of the shop being run by the petitioner would result in revenue loss and, thereby, police protection be given to the petitioner to run the business.

Heard the learned counsel for the petitioner and learned Government Pleader for Home (AP).

A perusal of the complaint would disclose that, in the vicinity, there are other bar and restaurants. However, certain individuals claiming alliance with CITU Union are interfering with the business lawfully being carried on by the petitioner. In the complaint dated 12.07.2017, the petitioner had named certain individuals, viz. (1). Bhavana Murthy (2) Padala Govind (3) Padala Ramana (4) Lanka Govind and others, who are alleged to have prevented her from opening the shop and carrying on the liquor business.

Right to carry on business, even liquor business, is a fundamental right and a duty is cast on respondent No.3 to ensure unruly elements not to disturb the petitioner's business.

In the circumstances, the Writ Petition is disposed of directing respondent No.3 to take necessary action by registering case against persons preventing the petitioner from carrying on her business in accordance with law.

Miscellaneous petitions pending, if any, shall also stand disposed of. However, in the circumstances, without costs.

CHALLA KODANDA RAM,J

Date:11.09.2017
Usd











