

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.19696 OF 2017

ORDER:

The Writ Petition is filed under Article 226 of the Constitution of India to declare action of the respondents in interfering with the petitioner's business of manufacturing of jaggery and transportation of the same under valid licence and way bills, as illegal and arbitrary.

Heard and perused the material available on record.

The petitioner is a manufacturing unit of jaggery and registered with the Ministry of Micro, Small and Medium Enterprises, Government of India. It is carrying on business of manufacturing and selling of jaggery. While so, the respondent officials visited the manufacturing unit of the petitioner on 24.03.2017 and interfered with the manufacture and transportation of jaggery. The petitioner approached the respondents 3 to 5 and explained them that the jaggery is made out of pure juice of sugar cane and he is doing the said business under licence and showed the relevant documents and requested them not to interfere with his business. But, without considering the request of the petitioner, the respondents took an undertaking from the petitioner that he will not sell the jaggery in their jurisdiction.

Learned counsel for the petitioner submits that the petitioner is doing business of manufacture of jaggery under valid licence and he is selling the jaggery under valid bills and receipts, and that admittedly, jaggery is not a prohibited article under any law and its possession is also not barred by the provisions of any Statute, but the respondents 3 to 5 are threatening and interfering with the business of the petitioner.

Learned Government Pleader for Prohibition & Excise, on instructions, submitted that the respondents are not interfering with the business activity of the petitioner, and that in case, the petitioner involves in any illegal activity, they will taken action in accordance with law.

Recording the said submission of the learned Government Pleader, the Writ Petition is disposed of. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

July 17, 2017
KTL

