

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 15021 OF 2017

ORDER :

This Writ Petition has been filed challenging the notice dated 23.12.2016, by which the petitioner was directed to pay Rs.12,60,000/- within three days from the date of its receipt.

The grievance of the petitioner is that it has been running the bar and restaurant only in an extent of 478 square meters, but however, the respondent authorities have made the impugned demand alleging that it has been in occupation of more than 1,000 square meters.

The contention of the learned counsel for the petitioner is that before making the demand, the respondent authorities have neither inspected the subject premises nor given any notice to the petitioner.

Learned Government Pleader for Prohibition & Excise submits that the respondent authorities will consider the petitioner's representation dated 17.04.2017 requesting to drop all further proceedings and not to insist for payment of 30% additional licence fee and pass necessary orders.

In the facts of the present case, the Writ Petition is disposed of directing the respondent authorities to consider the representation dated 17.04.2017 of the petitioner and since it is a question of fact, if necessary, conduct inspection and measure the area where the petitioner has been conducting its business and as a matter of fact, if it is found that the area occupied by the petitioner is above 1,000 square meters, the respondents shall be

entitled to collect the additional licence fee. Till such time, no demand shall be enforced against the petitioner. This entire exercise shall be completed within six weeks from the date of receipt of a copy of this order. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

25th April 2017

Issue CC in a week.
ksld

