

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17646 of 2017

ORDER:

1) The present writ petition came to be filed with the following prayer:

“issuance of writ of mandamus declaring the action of the respondents in harassing the petitioner and interfering with his business in serving of flavoured hookahs under the name and style of M/s. Pariwar Arabian House, situated in premises bearing No.6-4-7/5, Kattedan, Rajendra Nagar, Hyderabad, without reference to any rule, law or regulation as illegal, arbitrary, highhanded, violative of principles of natural justice and also Articles 14, 19 and 21 of the Constitution of India; and consequently direct the respondents not to harass the petitioner and not to interfere with the business of the petitioner.”

2) The averments in the affidavit filed in support of the writ petition are as under:

The petitioner started business in coffee shop and hookah center and was serving fruit and flower flavored hookahs to the customers. For running the said business, the petitioner obtained provisional trade licence for the year 2016-2017 from respondent No.3, under Sections 521 and 622 of the Greater Hyderabad Municipal Corporation Act, 1955 vide transaction No.CSC200117065747, dated 20.01.2017 by paying necessary charges. It is stated that the officials of the respondents have

been regularly interfering with the business of the petitioner, harassing him as well as his customers and causing disturbance. Hence the writ petition.

3) Learned counsel for the petitioner submits that in a batch of writ petitions, this Court directed the police officials not to interfere with the restaurants which are being used as hookah centres without any violation. He further submits that the petitioner is running the hookah centre without any violation but the police are interfering with his business. The said fact is seriously disputed by the Government Pleader for Home.

4) Having regard to the above and taking into consideration the order passed by this Court in W.P.Nos.3202 of 2014 and Batch, the writ petition is disposed of directing respondent Nos.2 and 3 not to interfere with the functioning of hookah centre of the petitioner, if the same is being run without any violations of law, rule or conditions of licence.

5) There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

07.06.2017
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