

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.18809 of 2017**

**ORDER:**

This Writ Petition is filed challenging the action of respondent Nos.4 and 5 in seizing the petitioner's A4 licensed shop No.322 situated in Daggavulu Village, Dakkili Mandal in SPSR Nellore District, without issuing any notice or order.

The petitioner submits that on an earlier occasion when an order of suspension of the licence was issued on 01.05.2017, the petitioner challenged the same in W.P.No.16927 of 2017 and this Court, by order dated 11.05.2017, allowed the said Writ Petition for violation of the procedure contained in proviso to Section 31 of the Andhra Pradesh Prohibition and Excise Act. Now, the learned Counsel for the petitioner submits that after passing the said order, without issuing any notice the shop was seized and the petitioner was not allowed to do the business.

Learned Government Pleader, on the basis of instructions, submits that the petitioner or their naukhar were not available for service of notice when the authorities wanted to serve the show cause notice dated 19.05.2017 followed by an order of cancellation dated 02.06.2017. When this is brought to the notice of the learned Counsel for the petitioner, learned Counsel for the petitioner wants to avail the remedy of appeal or challenge the same by way of another Writ Petition.

Accordingly, this Writ Petition is closed directing the respondents to serve the copy of the show cause notice and the order of cancellation first to the learned Counsel for the petitioner here and to the party in the shop. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

14.06.2017  
vs

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**(A.RAMALINGESWARA RAO, J)**

