

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 10804 of 2017

ORDER:

Heard the learned counsel for the petitioners, and learned Government Pleader for Prohibition and Excise.

The Writ Petition is filed complaining inaction of respondent – authorities in disposing of the representation of the petitioners dated 17.03.2017.

The grievance of the petitioners is that respondent No.6, who is A4 licence holder, applied for shifting of A4 licence shop to the premises of respondent No.5 on account of prohibition of wine shop being located within 500 mts. of National Highway/State Highway. Petitioners submit that the location has since been identified by respondent No.6 is wholly a residential locality they, along with other villagers, made a representation on 17.03.2017 to respondent No.4 and the same has not been considered till date. Hence the Writ Petition.

It may be noted that, even as per petitioners admission, representation was made on 17.03.2017, merely five days prior to the date of filing of the Writ Petition. In that view of the matter, it cannot be said that there was delay in consideration of the representation dated 17.03.2017. However, before allowing shifting of A4 licenced shop, the respondent – authorities are required to

consider necessary circumstances in terms of Rule 4 read with 25 of the A.P. Excise (Grant of Licence of Selling by shop and conditions of licence) Rules, 2012.

The Writ Petition is, accordingly, disposed of with a direction to respondent – authorities to consider and dispose of the representation of the petitioners dated 17.03.2017 in accordance with the rules.

Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 27.03.2017
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