

**THE HON'BLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.29699 of 2017**

**ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Prohibition and Excise (A.P) for the respondents.

2. In the present writ petition, challenge is to the action of respondent No.4 in not granting licence to the petitioner in the premises located adjacent to the road without applying the orders issued in G.O.Ms.No.28, Transport, Roads and Buildings (R.IV) Department, dated 04.07.2017, and consequently, the petitioner prays for a direction to extent the benefit even for shops to be located within 5 kilometers from the periphery of the municipal corporation area.

3. According to the learned counsel, the proposed premises is situated within the municipal limits of Tirupati. When the matter is taken up, learned counsel for the petitioner placed on record the order passed by the Hon'ble Apex Court on 11.07.2017 in SLP (Civil) No.10243 of 2017. In the said order, the Hon'ble Apex Court clarified that the order passed earlier does not prohibit licensed establishments within municipal areas.

4. In view of the same, this writ petition is disposed of, permitting the petitioner to make a representation to the respondents by enclosing a copy of the order of the Hon'ble

Apex Court referred to supra for processing the application filed for grant of licence in Form A-4 and to take further action, within one week from the date of receipt of this order and on receipt of the same, the respondents shall consider the said representation and pass appropriate orders in accordance with law. No order as to costs. Miscellaneous petitions, if any, shall also stand disposed of.

**A.V.SESHA SAI, J**

Date: 01.09.2017  
TJMR

