

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22819 of 2017

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India, seeking to declare the action of the 3rd respondent in granting and renewing the licenses to Bar and Restaurant and Wine shops in Suddapalli Donka, Guntur Town, Guntur District, without considering the petitioner's representation, dated 25.06.2017, and without following the due process of law, as illegal and arbitrary and consequently direct the respondents not to grant permission to the Bar and Restaurant and not to renew the licenses without considering the representation, dated 25.06.2017, made by the petitioner and without following the due process as contemplated under the law.

2. Heard learned counsel for both sides and perused the material available on record. With the consent of both the learned counsel, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioner is that the petitioner along with 500 families have been living in the area of Suddapalli Donka, Guntur Town, Guntur District and all are eking out their livelihood by hard work. Some people are trying to open a Bar and Restaurant and Wine shop in the locality in which there are so many temples, churches, mosques and schools. On 25.06.2017, the petitioner along with 60 members made a

representation to respondents 2 & 3 requesting not to issue and renew any licenses to the Bar and Restaurant and Wine Shops, which will affect their families and locality.

4. The main grievance of the petitioner is that in spite of the representation submitted to respondents 2 & 3 on 25.06.2017, the respondent authorities are going to grant permissions and licenses to the Bar and Restaurant and Wine Shops, without following Rule 4 of the A.P. Excise (Grant of License of Selling by Shop and Conditions of License) Rules, 2012.

5. When the matter is taken up, both counsel agreed for disposal of the writ petition with a direction to respondents 2 & 3 to expeditiously dispose of the representation of the petitioner, dated 25.06.2017.

6. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing respondents 2 & 3 to consider the representation of the petitioner, dated 25.06.2017, and pass appropriate orders, as warranted under law, as expeditiously as possible, and communicate the decision to the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any pending, in the writ petition are closed.

RAJA ELANGO, J

Date: 11th July, 2017

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