

HONB'E SRI JUSTICE CHALLA KODANDARAM

WRIT PETITION No.15343 OF 2017

ORDER:

The writ petition is filed challenging the action of the respondents 3 and 4 and their subordinates in seizing the stock of the petitioner and closing the shop and godown of the petitioner by sealing them i.e., 15-2-585/1,2 and 3 situated at Maharajgunj, Hyderabad and also godown vide Mulgi No.194 in Mahabub Mansion Market, Malakpet, Hyderabad.

It is not in dispute that a huge quantity of black jaggery has been seized from the premises of the petitioner at old Osmangunj, Hyderabad. Even as per the petitioner, the value of the sized black jaggery is about Rs.11,00,000/-. Petitioner seeks the release of black jaggery which is resisted by the learned Government Pleader for Prohibition and Excise.

Learned Government Pleader asserts that the petitioner and others are the sources of supply of raw-material for manufacturing of I.D liquor and it is only on account of interception of a vehicle and basing on the information provided by the persons from whom I.D liquor and certain incriminating material was seized. Petitioner was traced and still the investigation is going on.

In the case on hand, the affidavit of the petitioner does not disclose any particulars with regard to the petitioner and as to whether the business which is being carried on by the petitioner is with the authorisation from the respective authorities, though the learned counsel for the petitioner submits that his client was authorised and registered with the respective authorities. As there is no material placed before this Court and considering the fact that the Deputy Commissioner is the authorised and competent authority under Section 46 of the A.P. Prohibition and Excise Act, 1968, the interest of justice

would be served, if a liberty is given to the petitioner to approach the Deputy Commissioner, Hyderabad to submit an application setting out the particulars including the one petitioner had stated in the affidavit, which shall be considered by the designated competent authority and pass appropriate orders including the interim relief subject to conditions as may be imposed by the authority, within a period of ten days from the date of receipt of the application from the petitioner.

With the above observations, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, W.P.M.Ps., if any pending, shall stand closed.

Date:27.04.2017,
Gk



CHALLA KODANDA RAM,J

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