

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45841 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to declare the action of the respondent No.3 & 4, interfering KNR Chicken shop owner of the petitioner, situated at Union road, Udayagiri Village and Mandal, Nellore District, and KNR Chicken shop license issued by Labour Dept, Government of A.P. and dispossess the petitioner there from without following due process of law is illegal, arbitrary and unjust and without jurisdiction or authority and in violation of Articles 14 and 21 of the Constitution of India and in violation of principles of natural justice and consequently direct the respondents not to resort to the above said action without following due process of law...”

2. Heard and perused the material available on record.
3. Learned Assistant Government Pleader for Home denied the entire allegations and submitted before this Court that respondent Nos.3 and 4 never interfered with the said chicken business.
4. Considering the rival contentions of both parties, this Court is of the view that the writ petition can be disposed of with the following direction:

Respondent Nos.3 and 4 are hereby directed not to interfere with the chicken business of the petitioner without there being any crime registered against him. At the same time, the present order will not stand in the way of respondent Nos.3 and 4 to proceed with the

investigation if any complaint is registered against the petitioner for a cognizable offence.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

4.1.2017
AMD



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Date: 4.1.2017

AMD