

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

WRIT PETITION No.29005 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Prohibition & Excise for respondent Nos.1 to 5, Sri G.Seshadri, learned counsel, for the seventh respondent and the learned Government Pleader for Panchayat Raj for the eighth respondent.

The grievance of the petitioner, in the present Writ Petition, is the grant of licence for A4 shop bearing No.47. According to the petitioner he, along with certain others, are the absolute owners of Ac.1.06 cents of land situated in D.No.172 of Atmakuru village, Mangalagiri Mandal, Guntur District having purchased the same by way of a registered sale deed bearing document No.4466 of 1982 dated 13.08.1982. It is stated that the sixth respondent herein established a wine shop just opposite to the schools and colleges.

When the matter is taken up, objection as to the maintainability of the Writ Petition is taken by the learned Government Pleader stating that since licence has already been granted by the Excise Superintendent-4th respondent, petitioner herein has alternative remedy of appeal under Section 63 of A.P. Excise Act, 1968. In view of the availability of this alternative remedy, this Court is not inclined to entertain the present writ petition. However, it is open for the petitioner herein to file an appeal before the competent authority-third respondent herein for redressal of his grievance, if he is advised to do so.

With the above direction, the Writ Petition is disposed of. Consequently, Miscellaneous Petitions, if any pending in this Writ Petition shall stand disposed of. There shall be no order as to costs.

A.V. SESA SAI, J

29th August, 2017
DA/Tsy

