

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.35123 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking a direction to the respondents to grant them license/s under Tree For Tapping scheme as envisaged under the second proviso of Rule 39 of Andhra Pradesh (Grant of licence to sell Toddy, Conditions of Licence and Tapping of Excise Trees) Rules 2007.

I have heard the submissions of the learned counsel for the petitioners and of the learned Government Pleader representing the respondents. I have perused the material record.

At the hearing, learned counsel for the petitioners would submit that the only grievance of the petitioners is that their representation, dated 18.10.2017, is not being considered and disposed of by the respondents 2 to 4.

However, learned Government Pleader, on written instructions, would submit that the representation of the petitioners, dated 18.10.2017, is already examined and disposed of *vide* order in R.C.No.A8/ 1458/ 2017, dated 21.10.2017, and that in view of the said event, no cause survives for adjudication in this writ petition.

In reply, learned counsel for the petitioners would submit that a copy of the said order/ proceeding is not yet communicated to the petitioners by the 3rd respondent.

In that view of the matter, the only remedy that is now available to the petitioners is to challenge the afore-stated order, dated 21.10.2017, of the 3rd respondent.

Accordingly and recording the afore-stated submissions, the Writ Petition is disposed of as infructuous, however, reserving liberty to the petitioners, if they so desire and if they are so advised, to challenge the order, dated 21.10.2017, after obtaining a copy thereof from the concerned authority as per procedure. The 3rd respondent is also directed to communicate a copy of the afore-stated order to the petitioners as expeditiously as possible and preferably within one week from today.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

01.11.2017
VJI

M. Seetharama Murthi, J

