

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.41704 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“....to issue an order or direction more particularly one in the nature of Writ of MANDAMUS declaring the impugned proceedings vide Rc.No.412/2017/A1, dated 04-12-2017 issued by the 3rd respondent in suspending the A4 License No.CT/68/2017-19 of the petitioner shop, situated at Balijakandrige Village, Palasamudram Mandal, Chittoor District, under Section 31 of AP Excise Act without considering the explanation submitted by the petitioner as illegal, arbitrary, discriminatory and violation of Articles 14 & 21 of Constitution of India and hence the impugned proceedings of the 3rd respondent is liable to be set aside and consequently direct the Respondents to permit the petitioner to allow to run the licensed shop situated at Balijakandrige Village, Palasamudram Mandal, Chittoor District, i.e., M/s. Sai Pavani Wines as the petitioner has not committed any offence as alleged in the impugned notice, since the impugned notice of the 3rd Respondent contrary to the provisions made under the Act and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of *Sri K.Satyanarayana Murthy*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Prohibition & Excise appearing for the respondents 1 to 3. I have perused the material record.

3. At the hearing, learned counsel appearing for the petitioner and the learned Government Pleader are in agreement that the issue involved in the present writ petition is squarely covered by the orders of this Court, dated 06.11.2017, passed in W.P.no.36491 of 2017. Therefore, it is represented that this writ petition may be disposed of on the same lines.

4. Having regard to the facts & submissions and for the reasons alike as were mentioned in the order, dated 06.11.2017, of this Court in W.P.no.36491 of 2017, this Writ Petition is disposed of in terms of the said aforesaid order.

Office is directed to enclose to this order, a copy of the order, dated 06.11.2017, passed in W.P.No.36491 of 2017.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

13th December, 2017

M. SEETHARAMA MURTI, J

Note:- Issue CC by 14.12.2017
(B/o)
RAR