

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.189 of 2018

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue a writ or order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring action of the respondents in harassing by interfering with the business of the petitioner in red and white jaggery which is purely meant for human consumption under valid licence and bills and not allowing the petitioner to carry on business in white jaggery as illegal and arbitrary and without any authority of law and consequently direct the respondents not to interfere the petitioner’s trade and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of Smt *B.Tara Sujatha*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Prohibition and Excise appearing for the respondents 1 to 3. I have perused the material record.

3. Learned counsel for the petitioner would submit that the petitioner is lawfully carrying the business in red and white jaggery, which is purely meant for human consumption, under valid licence and bills, and that the respondents are not allowing the petitioner to carry on business peacefully and are often interfering with the business of the petitioner and that the present festive season is a big season for the business and that the petitioner is being put to lot of hardship.

4. Learned Government Pleader, on instructions, would submit that the husband of the petitioner was involved in several crimes where the offences are punishable under the penal provisions of the A.P. Excise Act and the A.P. Prohibition Act and that the allegations that the respondents are interfering with the business of the petitioner are false.

5. Learned counsel for the petitioner, in reply, would submit that the petitioner has nothing to do with the crimes registered against the husband of the petitioner and that black jaggery is not an excisable article and that the petitioner is carrying on business in red and white jaggery.

6. Recording the submissions, the Writ Petition is disposed of directing the respondents not to interfere with the lawful business activities of the petitioner. However, this order shall not preclude the respondents from initiating any action against the petitioner in case it is noticed that the petitioner is indulging in any illegal activities and violations of law.

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

There shall be no order as to costs.

M.SEETHARAMA MURTI, J

Date: 4th January, 2018

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Note: Issue C.C. on 11.01.2018.

(B/o.)

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