

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.33299 of 2017

ORDER:

This Writ Petition is filed seeking to declare the action of the respondents in not providing protection for running business of licenced premises of the petitioners' shops as arbitrary and illegal.

2. The petitioners are licencees to run the business in the respective premises for sale of Indian made foreign liquor within Salur Municipality area. The licences were issued for the period from 01.07.2017 to 30.06.2019. The petitioners, however, state that the 3rd respondent issued A-4 wine shop licence to petitioners 1 to 3 and the bar and restaurant licence to petitioners 4 to 6. They took the stock from the depot and when they tried to open the shops in their licenced premises, the inhabitants and local residents of the village have been obstructing opening of their shops. In those circumstances, they gave a complaint to the respondents and when they did not take any action, they submitted representations on 17.07.2017 and 30.08.2017 and when the same were not considered, the present Writ Petition is filed.

3. A perusal of representations shows that the said representations were addressed to the Prohibition and Excise Commissioner and the District Collector, Vizianagaram. If there is any interference in their business by the local residents, the petitioners should have lodged a complaint with the local police, but, no complaint is lodged. The provisions of the Excise Act do not enable the Excise officials to provide protection to the

petitioners for running the bar and restaurant or wine shop. It is for the petitioners to make their own arrangements for running shops pursuant to the licences issued to them.

4. In the circumstances, this Court sees no ground to entertain the present Writ Petition and accordingly, the Writ Petition is dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

APRIL 19, 2018
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A.RAMALINGESWARA RAO, J



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Date: 19.04.2018

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