

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.9089 of 2012

ORDER:

The relief sought for in this writ petition is to declare the action of the 1st respondent herein, in issuing proceedings dated 13.03.2012 and 06.03.2012 respectively rejecting the petitioners' applications for grant of licences to conduct live band orchestra/singing and music with male and female artists in the petitioners' bar and restaurants, as illegal, arbitrary and contrary to the provisions of the Hyderabad City Police Act (for short "the Act").

By proceedings dated 13.03.2012 and 06.03.2012 respectively, petitioner 1 and 2 were informed that their establishments did not have sufficient parking space as required under G.O.Ms.No.86 dated 03.03.2006; the establishments were located within 100 meters radius of educational institutions/hospitals/religious places/residential areas, which were declared as prohibited areas; and Section 21(f)(1) of the Act provides for regulations for matters regarding prohibition of licensing where it is likely to cause inconvenience, danger or damage to the residents or the persons passing in the vicinity by keeping of a place of public amusement or place of public entertainment. Petitioners 1 and 2 were informed that, in the light of the above, their requests were considered and rejected.

While the Writ Petition was admitted on 02.04.2012, no interim order was passed therein. The impugned proceedings have been in force for the past more than six years, and the petitioners must have been running their bar and restaurants without a live band during this period of six years. The impugned proceedings show that the petitioners' establishments has inadequate parking space, and is within the prohibited distance from educational institutions, hospitals, religious

places and residential areas. I see no reason, therefore, to interfere with the proceedings impugned in the writ petition.

Suffice it to make it clear that this order shall not disable the petitioners, after rectifying the deficiencies pointed out in the impugned proceedings, from making applications afresh for grant of licences. We have no reason to doubt that, on such applications being made after complying with the deficiencies pointed out in the impugned proceedings, their applications will be given their due consideration, and shall be dealt with in accordance with law.

Subject to the aforesaid observations, the Writ Petition fails and is, accordingly, dismissed. Miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.



(RAMESH RANGANATHAN, ACJ)

29th June, 2018
JSU

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN



Writ Petition No.9089 of 2012

Date: 29.06.2018

JSU