

THE HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No. 15440 OF 2013

ORDER:

This Writ Petition is filed to declare the inaction of the respondents in enforcing the law of prohibition within 5 kilometres radius of Brahmamgari Matham of B.Matham Mandal, Y.S.R. Kadapa District, as illegal and arbitrary and a consequential direction is also sought to search, seize and confiscate the illegal stocks of liquor.

2. The case of the petitioner is that he is a devotee of Brahmamgari Matham. He is the convener of liquor prohibition movement, Brahmamgari Matham, YSR Kadapa District. While the Government has not granted any license to any liquor shop within the radius of 5 kilometres of Brahmamgari Matham, many shops in the locality are selling retail liquor and polluting the serene atmosphere. It is his further case that the Deputy Commissioner of Prohibition and Excise, YSR Kadapa District-respondent No. 3 visited Brahmamgari Matham on 20-03-2013 and assured to take action on retail belt shop owners who are illegally selling liquor within 5 kilometres of Brahmamgari Matham but no action has been taken till now.

3. Counter affidavit has been filed by the Superintendent of Prohibition and Excise, Y.S.R. Kadapa District-respondent No. 4 stating that the District Collector-respondent No. 6 has notified only one A4 shop at Mallepalli Village of Brahmamgari Matham

Mandal for the year 2012-13 and the said shop is situated at a distance of 8 kilometres from Brahmamgari Matham and that there is no A4 shop within the radius of 5 kilometres from Matham. It is further stated that respondent No. 3 issued instructions to the Prohibition and Excise Superintendent, Proddatur, and the Station House Officer, Badvel, to book cases on unauthorized liquor sales outlets in and around Brahmamgari Matham; that as per the instructions of respondent No. 3, the Station House Officer, Badvel, conducted raids in Brahmamgari Matham Mandal and booked cases under A.P. Prohibition Act, 1995, and that instructions are being issued from time to time by the superior officers to keep close watch on unauthorized liquor sales outlets in and around the vicinity of Brahmamgari Matham.

4. In view of the categorical statements made in the counter affidavit, the Writ Petition is closed. Pending miscellaneous petitions, if any, shall stand dismissed in consequence.

KONGARA VIJAYA LAKSHMI, J.

30-11-2018

JSK