

THE HONOURABLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.21019 OF 2018

ORDER :

In this Writ Petition filed under Article 226 of the Constitution of India, the petitioner is assailing the proceedings, vide order No. S(3)SRC/1815/2017, dated 14.07.2017, passed by the 3rd respondent- the Licensing Authority and District Agriculture Officer, Rangareddy District, canceling the license bearing No. RRD/Null/DAO/SD/2017/10386 of M/s.Srusti Seeds, which is valid up to 29.05.2020.

2. I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader, for Agriculture, appearing for the respondents.

3. The main submission of the learned counsel for the petitioner is that on account of a crime registered against the petitioner, he was arrested and was lodged in prison and that, therefore, a show cause notice that was said to have been issued is admittedly not served on the petitioner; and, that later, the impugned order has come to be passed without service of notice and in violation of the principles of natural justice.

4. Learned counsel for the petitioner brings to the notice of this Court an order, dated 30.01.2018, of this Court in W.P. No. 2542 of 2018, wherein the issue involved in the present Writ Petition is considered while passing the aforestated order.

5. Learned Government Pleader does not dispute the legal position that despite existence of an alternative remedy, a Writ of

this nature is maintainable, particularly in cases where there is violation of principles of natural justice.

6. On the above analysis and in view of the orders of this Court in the aforestated Writ Petition, this Court finds that this writ petition deserves to be allowed.

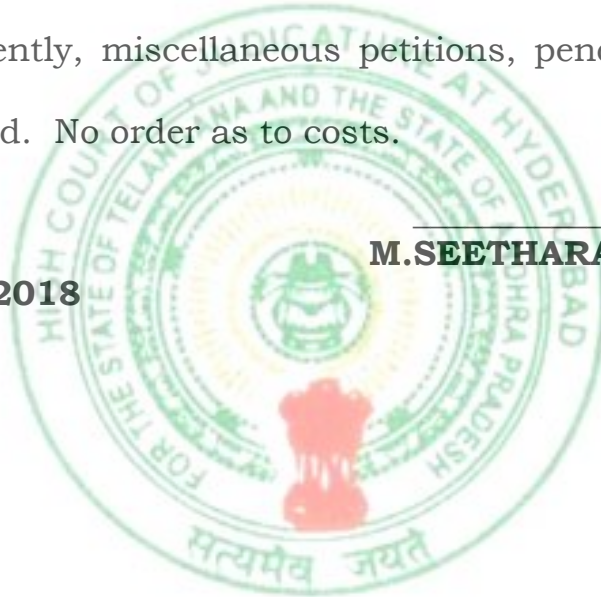
7. In the result, the Writ Petition is allowed and the impugned proceedings are set aside, leaving it open to the respondent authorities to take appropriate necessary action in the matter, however, in accordance with the procedure established by law.

Consequently, miscellaneous petitions, pending if any, shall stand dismissed. No order as to costs.

M.SEETHARAMA MURTI,J

Dated: 22.06.2018

JR



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