

HONOURABLE SRI JUSTICE GUDISEVA SHYAM PRASAD.

WRIT PETITION No. 4664 OF 2016

O R D E R :

The petitioner has sought for a writ in the nature of writ of certiorari, calling for the records relating to the proceedings vide Rc.No. C-1/1666/M/2015, dated 02/01/2016 issued by the second respondent under A.P. Prevention of Anti Social and Hazardous Activities Act, 1980, directing to remove the petitioner from the Kurnool district and desist from entering the Kurnool district until 29/06/2015 is illegal and in violation of the principles of natural justice and in violation of Article 14 and 21 of the Constitution of India.

2. Heard the learned counsel for the petitioner and the learned Assistant Pleader for Home.

3. The brief facts of the case are that the third respondent submitted a report to the second respondent-Collector and District Magistrate, Kurnool alleging that the petitioner is a habitual offender involved in “matka” and gambling in Adoni town. The second respondent basing on the report submitted by the third respondent property cases pending against the petitioner has issued a notice to the petitioner to attend before him. The petitioner appeared before the second respondent and stated that he was falsely implicated in A.P. Gambling Act and never played “matka” game. The second respondent has concluded that the petitioner

has been in a habit of conducting the game and accordingly he passed the orders vide Rc.No.C-1/1666/M/2015, dated 02/01/2016 under section 3 (3) [a] of A.P. Prevention of Anti social and Hazardous Activities Act, 1980 and directed the petitioner to remove from Adoni, town to outside of Kurnool district and desisted the petitioner from entering Kurnool district until 29/06/2016.

4. The learned counsel for the petitioner has challenged the orders passed by the second respondent-District Collector, Kurnool, directing to remove the petitioner from Kurnool district and desist from entering the Kurnool district until 29/06/2015.

5. The learned Assistant Government Pleader for Home submits that the order under challenge is the order passed by the second respondent-District Collector, desisting the petitioner from entering Kurnool until 20/9/2016. The order of the second respondent-District Collector was only until 20/9/2016, and therefore, the cause is not surviving in this writ petition, as it has been expired.

6. Having regard to the facts and circumstances of this writ petition, since the order passed by the second respondent-District Collector desisting the petitioner from entering into Kurnool district was till 20/9/2016 has been over and no cause is surviving for adjudication.

7. In the result, this writ petition is dismissed as infructuous.

No costs.

8. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE GUDISEVA SHYAM PRASAD
26/04/2018



HONOURABLE SRI JUSTICE GUIDSEVA SHYAM PRASAD.



WRIT PETITION No. 4664 OF 2016

Date:26/04/2018
Circulation No.
Court Master: I s L