

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.45203 of 2018

ORDER:

- 1) Heard.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent Nos.2 to 4 in interfering with the business of the petitioner in black jaggery, under valid licence and bills and not allowing the petitioner to carry on business in black jaggery and alum and visiting the shop and godown, as arbitrary and illegal.
- 3) Though various grounds are raised, learned counsel for the petitioner would submit that the authorities are interfering with the business of the petitioner, without following due process of law.
- 4) Learned Government Pleader for Excise placed on record the written instructions received by him wherein it is stated that the premises is not a licensed godown to store black jaggery. It is further stated that the accused is involved in two more crimes of very same nature and as such the authorities have acted legally in trying to prevent the petitioner from doing business, which is not permitted under law. Further, the authorities denied interference in the business of the petitioner, without following due process of law.

5) Having regard to the facts in issue, the writ petition is disposed of directing the respondents to deal with the issue, in accordance with law and shall not interfere with the business activity of the petitioner, except in accordance with law.

6) There shall be no order as to costs. As a sequel thereto, miscellaneous petitions pending if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Dt: 15.12.2018
vhh

