

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.44036 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking verbatim the following relief:

‘..to issue a writ of mandamus or any other appropriate writ or direction declaring the order of the 4th respondent passed in RC.No.80/2017/A5 dated 18.12.2017 as illegal, arbitrary and in violation of principles of natural justice and one without jurisdiction and pass such other or further orders as the Hon’ble Court feels deem fit and proper in the facts and circumstances of the case.’

At the hearing, learned senior counsel appearing for the petitioner and the learned Government Pleader for Prohibition & Excise appearing for the respondents are in agreement that the issue involved in the present writ petition is squarely covered by the orders, dated 06.11.2017, of this Court passed in WP.No.36491 of 2017. A copy of the said order is placed on record.

Having regard to the facts and submissions and for the reasons alike as were mentioned in the afore-stated order in the above said writ petition, this Writ Petition is allowed and the impugned order is set aside. Accordingly, the 4th respondent is directed to conduct an enquiry as contemplated under law and pass appropriate reasoned orders in the matter as expeditiously as possible, after affording an opportunity of hearing to the petitioner, however, without being influenced by the observations in the order which is now set aside.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Office is directed to enclose a copy of the order, dated 06.11.2017, in W.P.No.36491 of 2017 to this order.

M. SEETHARAMA MURTI, J

04.01.2018

Vjl