

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.13302 OF 2019

Date: 03.07.2019

Between:

Neerati Sathyanarayana, s/o. Mandaiah,
Aged about 38 years, occu: Business,
Prop.Neerati Reddy Traders, H.No.1-37/5,
Sirpur Town, Asifabad Komaram Bheem
District.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Revenue (Excise) Department, Secretariat,
Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to have trade licence. In his business premises, he is also selling white jaggery, black jaggery and alum along with other kirana items. Petitioner alleges that 2nd & 3rd respondents, Excise Police officials, are interfering and obstructing in carrying on his business and unnecessarily harassing and threatening him with dire consequences. He also alleges that respondents 2 & 3, and their staff have intercepting while transporting jaggery. On account of raids conducted by the respondents, petitioner is unable to do his business. According to petitioner, such action is *ex facie* illegal, arbitrary and unconstitutional.

2. Learned Government Pleader for Home, based on instructions furnished to him, informs the Court that Police authorities are not interfering in day-to-day business of petitioner. However, COR No.358/2018 was registered against the petitioner in Prohibition and Excise Station at Kaghaznagar.

3. *Per se*, carrying of business of jaggery is not prohibited. However, if jaggery is diverted for manufacturing of illicit distilled liquor, the same is prohibited and liable for penal consequences. Therefore, a person, who is intending to carry on business in jaggery, is required to maintain inventory of purchase and sale made by him. While directing the petitioner to maintain inventory of purchase and sale, particularly with reference to jaggery,

respondents are directed not to interfere with the business of petitioner, unless they have authentic information of diversion of jaggery for illegal purpose. This order does not come in the way of excise authorities in conducting proceedings in pending crime registered against the petitioner. Writ Petition is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

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