

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.17489 of 2019

ORDER:

This writ petition is filed seeking *Mandamus* declaring the action of official respondents in issuing license to run the wine shop in the name and style of Kakatiya Wines over the premises bearing H.No.1-1-9, situated at Harijan Basthi, Habsiguda, Hyderabad, and also intending to renew the said license without there being proper permission or documents, though the petitioner is the owner of the said premises, as arbitrary and illegal and consequently sought a direction to the official respondents to cancel or stop renewing the license of the said wine shop.

The case of the petitioner is that he is the absolute owner and possessor of the premises bearing H.Nos.1-1-9 and 1-1-10, in Plot Nos.9 and 10, respectively, in Sy.No.11/1, situated at Harijan Basthi, Habsiguda, Hyderabad. While so, respondent Nos.6 and 7 colluded together and by creating false and fabricated documents over the said property, respondent No.6 is running a wine shop in the name and style of Kakatiya Wines in the premises bearing H.No.1-1-9, situated at Harijan Basthi, Habsiguda, Hyderabad, which is in a dilapidated condition and may collapse at any point of time. The grievance of the petitioner is that though he made a representation dated 24.07.2019 to the official respondents

requesting to cancel or not to renew the license of the said wine shop, the official respondents are about to renew the license of the said wine shop without there being proper permission or documents. Hence, the present writ petition.

Learned counsel for the petitioner submits that respondent Nos.6 and 7 colluded together and running a wine shop in the name and style of Kakatiya Wines in the premises bearing H.No.1-1-9, situated at Harijan Basthi, Habsiguda, Hyderabad, which is in a dilapidated condition, and though the petitioner made a representation dated 24.07.2019 to the official respondents to cancel or not to renew the license of the said wine shop, the official respondents are proceeding to renew the license of the said wine shop without there being proper permission or documents.

On the other hand, the learned Government Pleader for Prohibition and Excise appearing for official respondents submits that the license of Kakatiya Wines is expiring by the end of August, 2019 and in the event any application is made by respondent No.6 - License holder for renewal of license of the said wine shop, the objections raised by the petitioner would be considered and appropriate orders would be passed in accordance with law.

Having considered the rival submissions made by the learned counsel for the respective parties, this writ petition is

disposed of directing the official respondents to consider the representation/objections raised by the petitioner on 24.07.2019 while renewing the license of Kakatiya Wines in the premises bearing H.No.1-1-9, situated at Harijan Basthi, Habsiguda, Hyderabad, and pass appropriate orders in accordance with law. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

16.08.2019.
Msr



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