

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.27373 of 2019

ORDER:

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

“For the reasons stated in the accompanying affidavit the petitioner herein prays that this Hon’ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in nature of Writ of Mandamus declaring the action of the respondent No.2 in interfering with the manufacturing, sale and supply of the petitioner’s bio-products like SWING, SHINE, SUN LIGHT, SMOOTH, SMART, SUPER JOY, GREEN GROW, RE GROW, GROWMORE, GROW WELL, GROWFUL, SUPER FAST, LIFE BLOOM, GREEN COP, GREEN STAR, L AMINO, GOLD MINE, COTTON KING, RESHOOT SUPER, BAHUBALI-1, BHAUBALI-2, BAHUBALI-3, STAR-5, SINGHAM-1, SINGHAM-2, SINGHAM-3, SIX, DI, DECTATOR, SP, DSP, SHOT, SPARK, FIGHTER, KILLER, FLAME, ROYALS-5, SUMMIT, GRIFFIN, DOLO, SMASH, SMITE, SPIDER, DUSTER, SHARK, SOLO, S WONDER, KICK, QUICK, ALL CLEAR, TRINETRA, SPECIAL, SHINE N SHINE, RESET, SET, SHARP, SUPHAL, LOYALTY, GLITZ, LIBERAL, LUCKY, LEFUN, LOAD, DELIFE, LOTO, STRONG, SPLENDER, NUTRI MAX, NUTRI FOOD, ACTIVE++, ACTIVE+++, STAR POWER, SCORE, LBW, GUARDIAN, SORT OUT, LIFE, DELIGHT, PREVENT, CURE, NUTRIMAN, SAMPOORNA-4, SAMPOORNA-6, SAMPOORNA-7, CMS, SMS, PILLER, PRUDHVI, PUDAMI, SWARNA BHOOMI, SUVARNA BHOOMI, SULTHAN, CASH, LEGO, LEVI, SUPHAL-2, SUPHAL-3, SWARNAPHALL, VIRAL SB, VIRO CARE, GUN SHOT, KGF, STRESS OUT, SMYCIN, OMYSIN, SURABHI RAIZO, SURABHI PSB, MINNY, OPERA, S 9, SUNRISE, SUPREME, SGIB, REDIATE, OYO, TIPTOP, TIKTOK, S-NEEM, YASH, TOP N TOP, AI, RADOR, BOOSTER, BONUS, TEASER, TERMINATOR HD and SPICE which contains Amino Acid and Sea-Weed Extract by issuing Memo No. PP II(1)2085/2005, dated 21-01-2006

and the consequential letter No.PP.II(1)2085/2005, dated 21-01-2006 as illegal, arbitrary, unconstitutional and without jurisdiction and further direct the respondent No.2 not to interfere with in any manner with the Bio-products of the petitioner including from the licensed premises of its dealers/stockiest under the Insecticides Act, 1968 and the Fertilizers Control (Order) Act 1985 and pass such other order or orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case."

2. Heard Sri V.R.Reddy Kovvuri, learned counsel appearing for the petitioner and the learned Government Pleader for Agriculture appearing for the respondents. Perused the material available on record.

3. At the time of hearing, Sri V.R.Reddy Kovvuri, learned counsel appearing for the petitioner and the learned Government Pleader for Agriculture appearing for the respondents are in agreement that the issue involved in the present writ petition is squarely covered by the order, dated 03.11.2016, in Writ Appeal Nos.1122 and 1136 of 2016, passed by a Division Bench of this Court. A copy of the same is filed along with the material papers of the writ petition.

4. In view of the submissions and the earlier orders of this Court and for the reasons alike as were mentioned in the earlier orders of this Court in the afore-stated writ appeals, this Writ Petition is also disposed of in terms thereof. There shall be no order as to costs.

5. Office to enclose a copy of the order, dated 03.11.2016, in Writ Appeal Nos.1122 and 1136 of 2016, to this order.

Pending miscellaneous petitions, if any, shall stand closed.

T. AMARNATH GOUD, J

Date: 11th December, 2019

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