

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

**MONDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 11048 OF 2020

Between:

M/s. Vijaya Durga Finance, Flat No.205, Lake View Residency, Patigadda, Secunderabad. Rep. by its Managing Partner V.Venkata Narasimha Rao, S/o late Dr.V.Chakradhar Rao, Aged about 62 years, Occ. Business.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue Department, Secretariat at Hyderabad
2. The District Collector, Hyderabad District at Hyderabad.
3. The Commissioner of Police, Hyderabad. City, Hyderabad.
4. The Deputy Commissioner of Police, North Zone, Secunderabad, Hyderabad,
5. The Station House Officer, Begumpet Police Station, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the application submitted by the petitioner dated 9.7.2019 received on 11.7.2019 requesting for issue of Money Lending License under the provisions of Sub Section- 2 of Section. 3 of Telangana Money Lenders Act, 1349 Fasli as illegal, arbitrary and consequently direct the respondents to consider the application of the petitioner for issuance of Money Lending License in favour of the petitioner firm.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider the application submitted by the petitioner dated 9.7.2019 received on 11.7.2019 for issue of Money Lending License expeditiously in favour of the petitioner Firm under the provisions of Telangana Money Lenders Act, 1349 fasli, pending disposal of the above writ petition.

Counsel for the Petitioner : SRI A. PRABHAKAR RAO

Counsel for the Respondent Nos.1 & 2: AGP FOR REVENUE

Counsel for the Respondent Nos.3 to 5: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.11048 of 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed, wherein the following prayer is made:

"to issue a writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the application submitted by the petitioner dated 9.7.2019 received on 11.7.2019 requesting for issue of Money Lending License under the provisions of Sub Section 2 of Section 3 of Telangana Money Lenders Act 1349 Fasli, as illegal, arbitrary and consequently direct the respondents to consider the application of the petitioner for issuance of Money Lending License in favour of the petitioner firm."

2. Heard the learned counsel for the petitioner, learned Assistant Government Pleader for Revenue appearing for the respondent Nos.1 and 2 and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner was granted Money Lending License vide File No.C1/5614/2004, dated 01.09.2004, by the 2nd respondent, for a period of one (1) year. The said license was renewed from time to time upto 27.08.2017. Due to mistake on the part of partner of the petitioner, the petitioner could not submit the application in time for renewal of license. The petitioner submitted applications, dated 08.09.2017 and 23.08.2018, to the Collector, Hyderabad District, for renewal of licence. It is submitted that vide order, dated 06.12.2018, in File No.C4/27066/2018, the application of the petitioner was rejected on the ground that the petitioner submitted application

belatedly, but, however the petitioner was directed to apply for fresh license. Accordingly, the petitioner submitted application, dated 09.07.2019, before the 2nd respondent, requesting for issuance of fresh license, by paying requisite fee through challan. The said application was acknowledged by the 2nd respondent on 11.07.2019. The application submitted by the petitioner for issuance of fresh license was sent to the 4th respondent for enquiry, who in turn sent the same to the 5th respondent for remarks. The application is under process for more than one year and the petitioner has lent various amounts during subsistence of license to the needy persons. The petitioner is unable to recover those amounts, due to expiry of the license and ultimately, requested this Court to direct the respondents to dispose of the application dated 09.07.2019 submitted by the petitioner expeditiously.

4. Learned Assistant Government Pleader for Revenue, on written instructions, would submit that the application of the petitioner, dated 09.07.2019, for issuance of Money Lending License was rejected by the Additional Collector, Hyderabad District, vide Memo in File No.C4/1820/2019, dated 29.09.2020, and the said Memo was communicated to the petitioner through 'Registered Post'.

5. Under these circumstances, since the application of the petitioner, dated 09.07.2019, was rejected vide Memo in File No.C4/1820/2019, dated 29.09.2020, nothing survives for

adjudication in this Writ Petition. However, the petitioner is entitled to workout the remedies available under law.

6. With these observations, this Writ Petition is disposed of.
No costs.

Miscellaneous petitions, if any, pending shall stand closed.

//TRUE COPY//

Sd/-B.SATYAVATHI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat at Hyderabad
2. The District Collector, Hyderabad District at Hyderabad.
3. The Commissioner of Police, Hyderabad, City, Hyderabad.
4. The Deputy Commissioner of Police, North Zone, Secunderabad, Hyderabad,
5. The Station House Officer, Begumpet Police Station, Hyderabad.
6. One CC to Sri A. Prabhakar Rao, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad (OUT)
9. Two CD Copies

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HIGH COURT

DRSAJ

DATED:05/10/2020



ORDER

WP.No.11048 of 2020

DISPOSING OF THE WP

WITHOUT COSTS

12 VLV
17/10/20