

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No.3570 of 2022

ORDER:

Heard the learned counsel for the petitioners, the learned Government Pleader for Panchayat Raj and Rural Development appearing for respondent Nos.1 to 6, the learned Government Pleader for Home appearing for respondent No.7, and Sri M. Ram Gopal Rao, the learned Standing Counsel appearing for respondent No.8. With their consent, the present Writ Petition is being disposed of at the stage of admission.

This writ petition is filed seeking a writ of *mandamus* declaring the action of the respondent No.8 in interfering with the business of the petitioners in their respective shops situated at Kondamallepally Village and Mandal, Nalgonda District, and forcing them to shift their vegetable business from their respective shops to the market yard, without following due process of law, as illegal and arbitrary.

Learned counsel for the petitioners has stated that though the petitioners are having valid trade licence, the respondent No.8 is

trying to interfere with their business activity, without following due process of law, on one pretext or the other.

Per contra, the learned Standing Counsel has stated that the respondent No.8 never interfered with the business activity of the petitioners. The learned Standing Counsel has further stated that under the guise of conducting business, the petitioners are throwing garbage and vegetables on the road and not maintaining the premises in question in a hygienic manner. Though repeated requests were made to the petitioners not to make any public nuisance and not to throw garbage and vegetables on the road, the petitioners are not adhering to the same. Learned Standing Counsel has further stated that the Gram Panchayat has constructed a Rythu Vedika/Rythu Bazar for the purpose of selling the vegetables and it is ready to allocate the space to the petitioners, but the petitioners are not coming forward.

Having regard to the above made submissions and having regard to the fact that the petitioners are having valid trade licence to carry on the business, without going into the merits or demerits of the case, the writ petition is disposed of directing the official respondents not to interfere with the business activity of the

petitioners. However, it is made clear that the petitioners shall maintain the premises in question in hygienic manner and shall not dump any garbage or vegetables on the road or the surrounding areas. It is also made clear that the petitioners shall not create any public nuisance while conducting the business.

Miscellaneous applications, if any pending, shall stand closed.

There shall be no order as to costs.

A. ABHISHEK REDDY, J

Date: 06.07.2022

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