

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 25874 OF 2022

Between:

G. Raakesh Reddy @ G.Chandra Shekhar Reddy, S/o G.Suryanarayana Reddy,
Aged about 45 years, Occupation Business, R/o H.No.14-14, Aruna Vihar,
Madhusudhan Nagar, Malkajgiri, Hyderabad.

...PETITIONER

AND

1. State of Telangana, Rep. by its Principal Secretary, Prohibition and Excise Department, Secretariat, Hyderabad.
2. The Commissioner of Prohibition and Excise Department, 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 of Mandamus or any other appropriate writ or order or direction declaring the inaction of the Respondent No.1 and 2 in refunding the proportionate licensee fees of Rs.3,32,500/- with interest @ 18% per annum from 16.12.2006 in respect of the 2B license obtained by the Petitioner in the year 2005-06 as arbitrary illegal and consequently direct the Respondent No.1 and 2 to refund Rs.3,32,500/-with interest @ 18% per annum from 16.12.2006.

IA NO: 1 OF 2022

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 No 1 & 2 to consider the representation of the Petitioner dated

02.06.2022 and refund proportionate license fees of Rs.3,32,500/- with interest @ 18% per annum from 16.12.2006 pending disposal of the writ petition.

Counsel for the Petitioner: SRI PRABHAKAR PERI

Counsel for the Respondents: GP FOR PROHIBITION AND EXCISE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.25874 of 2022

ORDER:

This Writ Petition is filed to declare the action of respondents 1 and 2 in not refunding the proportionate license fees of Rs.3,32,500/- with interest @18% per annum from 16.12.2006 in respect of the 2B license obtained by the petitioner in the year 2005-06, as arbitrary, illegal and arbitrary.

2. In the above regard, the petitioner claims to have approached the 2nd respondent seeking refund of the amount vide his representation dt.02.06.2022.

3. When the matter is taken up today, learned Government Pleader appearing for the respondents would submit that the representation filed by the petitioner before the 2nd respondent has been forwarded to the Deputy Commissioner of Prohibition and Excise, Ranga Reddy District, vide his proceedings in Cr.No.1454/2022/CPE/TS/F1, dt.17.06.2022 and in pursuance thereof, the Deputy Commissioner of Prohibition and Excise, Ranga Reddy Division, has passed order in Cr.No.A1/161/2022/DCRR dt.23.06.2022.

4. A copy of the said proceeding has been served on the learned counsel for the petitioner.

5. Learned counsel for the petitioner submits that since by the proceedings, the respondents have rejected the claim of the petitioner for refund of the proportionate license fee, he would take steps to challenge the said proceedings and accordingly, seeks liberty to question the same.

6. Having regard to the submissions made as above, since the respondents have considered the representation filed by the petitioner and now passed orders thereon, it is open for the petitioner to question the said proceedings dt.23.06.2022 in accordance with law and no orders need to be passed in the present Writ Petition.

7. Granting liberty as sought for, this Writ Petition is dismissed as infructuous. No order as to costs.

8. Consequently, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/-T.JAYASREE
ASSISTANT REGISTRAR

AAJ
SECTION OFFICER

To,

1. One CC to SRI PRABHAKAR PERI, Advocate [OPUC]
2. Two CCs to GP for Prohibition and Excise, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies.
4. One Spare Copy.

MP
JM
H

HIGH COURT

DATED:24/06/2022

ORDER

WP.No.25874 of 2022

**DISMISSING THE WRIT PETITION
AS INFRACTUOUS
WITHOUT COSTS**



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PM

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