

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

**THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 42850 OF 2015

Between:

1. K.Balakishan Rao, s/o Narasing Rao, aged about 40 years, occ: Business, r/o Vemulawada, Karimnagar.
2. G.Rajamouli, s/o Venkatesham, aged about 42 years, occ: Business, r/o H.No. 13-70, Pragathi Nagar, Husnabad, Karimnagar District.
3. G.Laxmi, w/o Sagar Krishna, aged about 31 years, occ: Business, r/o H.No. 9-1-2/1/B Markandeya Colony, Vemulawada, Karimnagar District.
4. V.Santosh, s/o Rajaiah, aged about 38 years, occ: Business, r/o H.No. 8-5-33/6 Mallaram Road, Vemulawada, Karimnagar.

...PETITIONER(S)

AND

1. The State of Telangana,, rep. by its Principal Secretary, Revenue (Excise-II) Department, Secretariat, Hyderabad.
2. The Commissioner of Prohibition and Excise., State of Telangana, Abkari Bhavan Opp. Gandhi Bhavan, M.J.Road Hyderabad-500 001.
3. The Deputy Commissioner of Proh. and Excise, Karimnagar., -
4. K.Thirumal, s/o Kanukaiah, occ Business Licence No. F1/2015 M/ Sai Restaurant And Bar H.No. 11-94/6, Husnabad, Karimnagar.
5. Gajjala Ramesh, s/o Laxmaiah, occ:Business Licence No.1/4/2007 M/s Rajendra Dhaba Restaurant and Bar, Tippapuram, Vemulawada, Karimnagar.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the impugned order passed by the 2nd respondent bearing No. 015/CPE/TS/F4-III and Cr.No. 5530/2015/CPE/TS/F4-II dt. 22-12-2015 granting prior clearance permission for grant of licence for selling liquor by Bar in favour of the respondent Nos. 4 and 5

without scrutiny of applications and drawal of lots in pursuance of the Revised Schedule issued in Cr.No. 1900/2015/CPE/TS/F1 dt.03-10-2015, as being illegal, arbitrary, unilateral and discriminatory and consequently set aside the same by directing the respondents to follow the procedure and to draw the lots in the presence of the petitioners and other applicants, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

I.A. NO: 1 OF 2015(WPMP. NO: 55241 OF 2015)

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 suspend the orders passed by the 2nd respondent bearing No.015/CPE/TS/F4-III and Cr.No. 5530/ 2015 /CPE/TS/ F4-II dt.22.12.2015, pending disposal of the main Writ Petition

Counsel for the Petitioner(s) : SRI. N HARI PRASAD

Counsel for the Respondents: ^{4&5} BOLLEPALLI SAI RAM GOUD

Counsel for the Respondents 1 to 3 : GP FOR PROHIBITION & EXCISE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No. 42850 of 2015

ORDER:

Learned counsel for the petitioner submits that the cause in the Writ Petition does not survive for adjudication by this Court and thus, the Writ Petition has become infructuous.

2. Recording the said submission, this Writ Petition is dismissed as infructuous. No order as to costs.

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

**SD/-I.NAGALAKSHMI
DEPUTY REGISTRAR**

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SECTION OFFICER

To,

1. One CC to SRI. N HARI PRASAD Advocate [OPUC]
2. One CC to SRI. BOLLEPALLI SAI RAM GOUD, Advocate [OPUC]
3. Two CCs to GP FOR PROHIBITION & EXCISE, High Court for the State of Telangana, At Hyderabad. [OUT]
4. Two CD Copies.
5. One Spre Copy.

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PS *HK*

HIGH COURT

DATED:21/04/2022

ORDER

WP.No.42850 of 2015



DISMISSING THE WRIT PETITION AS
INFRACTUOUS.

WITHOUT COSTS

mcc
15-8-22 (7)