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

MONDAY ,THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 4337 OF 2013

Between:

Pan Shops Owners Association of India, (Reg. No. 1562 of 2007) Rep. by its president Sri. Rangaraj Shankar Rao S/o Late R. Venkataiah, aged 73 years Head office behind old Police Station, Troop Bazaar, 8-1-176, Hanuman Tekri, Bank Street, Kothi Road, Hyderabad - 5000001

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by the secretary of the Department of Medical Health and Welfare Government Secretariat, Hyderabad-22.
2. The Commissioner of Food Safety, Government of Andhra Pradesh, Hyderabad-29
3. The District, Food Inspector and Designated Officer, Office of the District Food Inspector, Hyderabad-29
4. The Police Chief & Director General of Police, Government of Andhra Pradesh, Hyderabad-04

...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 more particularly one in nature of Writ of Mandamus directing the Respondents 1 to 4 not to restrain Petitioner from selling, distributing or storing of chewing tobacco or pure tobacco products i.e., Zarda, Khaini, Sada Zarda etc., as the same are not covered by the G.O.Ms.6 dated 9.1.2013 and to declare that the respondent have no right to take any steps or action(s) against chewing tobacco or tobacco products by virtue of G.O.Ms. 6 dated 09-01-2013

I.A. NO: 1 OF 2013(WPMP. NO: 5404 OF 2013)

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 not to seize/confisciate the chewing tobacco or pure tobacco products which mentioned as item No. 6 in the Schedule of the CTP Act i.e., Zarda, Khaini, Sada Zarda etc., as the same are not covered by the G.O.Ms. 6 dated 9-1-2013 and FSS Act and Regulation 2011, pending disposal of the writ petition, in the interest of justice.

Counsel for the Petitioner: SRI. A JAYAWANTRAJ

Counsel for the Respondent Nos. 1to3: GP FOR MED HEALTH AND FAMILY WELFARE

Counsel for the Respondent No.4: GP FOR HOME

The Court made the following: ORDER

HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No.4337 of 2013

ORDER:

The petitioner challenges the action of authorities in restraining him from selling tobacco products. It is his case that the tobacco products, namely, Zarda, Khaini, Sada, Zarda etc., are not covered by G.O.Ms.No.6, dated 09.01.2013 and therefore, the interference of the authorities is illegal and arbitrary.

2. The writ petition was admitted on 13.02.2013. It was last listed on 12.04.2013. We are now in 2024, and the petitioner has not taken any steps for getting the matter listed for over a decade.

3. This matter was listed on 16.12.2024 under the caption "Specially Identified cases", there was no representation on behalf of the petitioner. The matter was therefore, adjourned to 23.12.2024.

4. Today when the matter is called, there is no representation on behalf of the petitioner. It appears that the petitioner is not interested in pursuing this writ petition. Therefore, the Writ Petition is dismissed for non-prosecution. No costs.

Miscellaneous applications, pending if any, shall stand closed.

SD/-L.LAKSHMI BABU
ASSISTANT REGISTRAR

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SECTION OFFICER

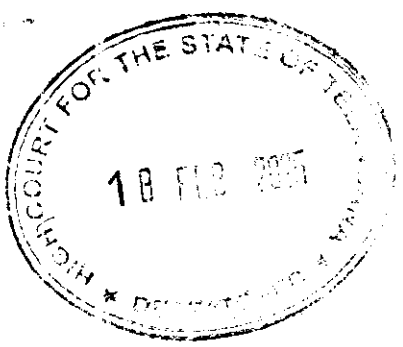
To,

1. One CC to SRI. A. JAYAWANTRAJ, Advocate [OPUC]
2. Two CCs to GP FOR MED HEALTH AND FAMILY WELFARE ,High Court for the State of Telangana at Hyderabad [OUT]
3. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

B M /BSK

HIGH COURT

DATED:23/12/2024



ORDER

WP.No.4337 of 2013

DISMISSING THE WRIT PETITION FOR NON-PROSECUTION WITHOUT COSTS

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Copies.