

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.8717 of 2022

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners, wherein, the following prayer is made.

“...to issue any Writ, order or direction more especially one in the nature of Writ of Mandamus declaring the action of the Respondents 2 to 5 in not considering the objections of the Petitioners Dt.31-01-2022 made pursuant to the Application made by the 6th Respondent Dt.28-01-2022 for Shifting of his existing A-4 License Shop i.e., G.SI.No. PDP009 H.No.4-3-197/2 and 4-3-197/3, Ward No.6, Kaman to Rangampalli Main Road, Peddapally Town to the non-notified premises bearing H.No.2-7-99/13/2 Ward No.18, Tenuguwada, Peddapally Town as illegal, arbitrary and contrary to Rules under T.S.Excise (Grant of License of selling by Shop and Conditions of License) Rules 2012 and consequently direct the Respondents 2 to 5 not to grant any Shifting Permission to the 6th Respondent's A-4 Licence Shop G.SI.No.PDP009, situated at H.No.4-3-197/2 and 4-3-197/3 Ward No.6, Kaman to Rangampalli Main Road, Peddapally Town and District, pursuant to his Application Dt.28-01-2022 by duly considering the objections of the Petitioners Dt.31-01-2022 and to pass such other order or orders...”

2. Heard the learned counsel for the petitioners, learned Government Pleader for Prohibition and Excise appearing for respondent Nos.1 to 5 and perused the record.

3. The learned counsel for the petitioner would submit that the pursuant to the application dt.28.01.2022 submitted by the respondent No.6 to shift his existing A-4 licence Shop i.e, G.SI.No.PDP009, H.No.4-3-197/2 and 4-3-197/3, Ward No.6, Kaman to Rangampalli Main Road, Peddapally Town to non-notified premises bearing No.2-7-99/13/2, Ward No.18, Tenuguwada, Peddapally Town, the petitioners submitted objection petitions dated 31.01.2022 to the authorities concerned. The petitioners

seek a direction to the respondent Nos.2 to 5 to consider their objection petitions and not to grant any permission to the respondent No.6 to shift his A-4 licence shop.

4. On the other hand, the learned Government Pleader for Prohibition and Excise, on written instructions would submit that the application of the respondent No.6 along with the objection petitions of the petitioners were sent to the respondent No.2-Commissioner, Prohibition and Excise, Telangana, as he is the competent authority to accord shifting permission.

5. Since it is submitted by the learned Government Pleader for Prohibition and Excise that the objection petitions of the petitioners are under examination by the respondent No.2-Commissioner, Prohibition and Excise, Telangana, no further orders are required to be passed in this writ petition.

6. With the above observation, this Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. No order as to costs.

Date: 17.02.2022
Scs

Dr. SHAMEEM AKTHER, J