

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

WEDNESDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND**

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION NO: 12732 OF 2010

Between:

M. Narayana, S/o Chinna Malkanna, aged 43 years, Unemployee, R/o Velmal Post,
Via Makloor, Nizamabad District.

.....PETITIONER

AND

1. State of A.P., rep by its Chief Secretary to Government, Secretariat, Hyderabad
2. State of A.P., rep.by its Principal Secretary to Government, Revenue (Excise) Department, Secretariat, Hyderabad.
3. State of A.P., rep.by its Principal Secretary to, Medical and Health Department, Secretariat, Hyderabad.
4. The Commissioner of Proh. & Excise, Government of A.P. Hyderabad.
5. Union of India, Rep. by its Cabinet Secretary, Central Secretariat, New Delhi.
6. Union of India, Rep. by its Secretary to, Medical and Health Department, Central, Secretariat, 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 order or direction in the nature of mandamus or otherwise declaring the A.P. Prohibition Amendment Act 1997(Act 5 of 1997) in so far as it relates to allowing to manufacture sale and consumption of liquor is concerned as arbitrary unconstitutional violating Articles 14 and 21 of the Constitution of India and inconsistent with Article 47 of the Constitution of India and set aside the

same including all consequential proceedings including the Notification issued in Cr.No. 3600/2010/CPE/G2 dt. 6-5-2010 issued by 4th respondent for inviting Tenders for issue of Licences to the Retailers for Excise year 2010-12 and issue consequential directions, restraining the respondents from allowing manufacture, sale and consumption of liquor and also direct the 5th and 6th respondents to take a decision regarding imposition of total prohibition in the country taking into account Art. 47 of the Constitution of India while exercising the powers available with the Union of India under the Constitution of India to enable other States in the country also to follow uniform procedure.

I.A.NO:1 OF 2010 (WPMP.NO:16047 OF 2010)

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 increase any Excise Rental Fees as well as manufacturing and selling and consumption of liquor, for the Excise year 2010-2012, in pursuance of the Notification issued in Cr.No. 3600/2010/CPE/G2 dt. 6-5-2010 issued by 4th respondent, pending disposal of the writ petition.

I.A.NO:2 OF 2010(WPMP. NO: 16048 OF 2010)

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 to appoint a Committee to examine Evil effects of lifting the ban on liquor in pursuance of A.P. Prohibition Amendment Act 1997(Act 5 of 1997) and take a decision keeping in view of Article 47 of the Constitution of India to safeguard the Fundamental Rights particularly under Article 21 of the Constitution of India of the individuals who are addicted for consumption of liquor, pending disposal of the writ petition.

I.A.NO:3 OF 2010(WPMP. NO: 16049 OF 2010)

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 stay

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Petition No.12732 of 2010

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

None for the petitioner.

Ms. Madhuri Rao Kuchadi, learned Assistant Government Pleader attached to the office of the learned Additional Advocate General for the State of Telangana, appears for respondents No.1 to 4.

Ms. L.Pranathi Reddy, learned counsel representing Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of India, appears for respondents No.5 and 6.

Learned counsel for the respondents submit that the issue involved in this writ petition does not survive for consideration on account of efflux of time.

In view of aforesaid submission, the Writ Petition is dismissed as infructuous.

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Miscellaneous petitions, pending if any, stand closed.

No costs.

SD/-N.SRIHARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to GP FOR PROHIBITION AND EXCISE, High Court for the State of Telangana at Hyderabad. [OUT]
2. Two CCs to GP FOR GENERAL ADMINISTRATION, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI P.V.KRISHNAIAH, Advocate [OPUC]
5. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA [OPUC]
6. Two CD Copies

SA
KKS



HIGH COURT

DATED:21/08/2024

ORDER

WP.No.12732 of 2010



DISMISSING THE W.P

AS INFRUCTUOUS WITHOUT COSTS.

(10) ulw
27/9/24