
(2022) 02 TEL CK 0009
In the Telangana High Court
Case No : Writ Petition No. 8944 Of 2020

Sai Ram Chemicals

APPELLANT

Vs

State Of Telangana And 3 Others

RESPONDENT

Date of Decision : 03-02-2022

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2022) 02 TEL CK 0009

Hon'ble Judges : Dr. Shameem Akther, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

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

to issue an appropriate writ, order or direction more in the nature of mandamus, declaring the action of the respondents in infringing the personal

liberty of the petitioner by directing him not to conduct manufacturing of Alum or marketing and making him to sit hours together by calling him to

the Station even without there being any crime and further though the factory is not situated within its jurisdiction or any complaint and threatening to

book him under P D Act if he do not implement their directions owing to the pressures brought out by his business rivals and vested interest through

their local political identities as being illegal arbitrary and is in violation of fundamental rights guaranteed to the petitioner under the Constitution of India

and pass such other order or orders as may be fit and proper.

2. Heard both sides. Perused the record.

3. It has been contended on behalf of the petitioner that the petitioner is dealing

with manufacture of Alum. The factory and the company of the petitioner are situated in the State of Andhra Pradesh. Without there being any commission of offence and registration of crime against the petitioner, the respondent-police are frequently calling the petitioner to excise police station and harassing him, which is illegal, arbitrary and violative of personal life and liberty of the petitioner. It is further contended that the petitioner is being threatened by respondent-excise officials to implicate him in a PD Act case.

4. No counter is filed by the respondents-excise officials.

5. The submissions made by the petitioner on oath with regard to the harassment by the respondent-excise officials cannot be ruled out and discarded.

6. Under these circumstances, the respondents-excise officials are directed not to call the petitioner to the police station and meddle with the personal

life and liberty of the petitioner, in any manner whatsoever. It is made clear that if there is any contravention of the provisions of the Excise Act by the

petitioner, the respondents are entitled to proceed against him for such contravention, in accordance with law.

7. With the above observations/direction, this writ petition is disposed of.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.