

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF FEBRUARY TWO THOUSAND AND NINETEEN

:PRESENT:
THE HONOURABLE SRI JUSTICE M.S. RAMACHANDRA RAO



IA No. 1 OF 2019
IN
WP NO: 2289 OF 2019

Between:

QNET Distributors Welfare Association, Office No. 1, 1st Floor, 1 St Cross, 1st Main, Gandhinagar, Bangalore 560 009, Karnataka Represented by Mr. Sriram Pavan Kumar (President)

...Petitioner
(Petitioner in WP 2289 OF 2019
on the file of High Court)

AND

1. State of Telangana, Rep. by Secretary, Home Department, Secretariat, Hyderabad.
2. State of Telangana, Rep. by Secretary, Consumer Affairs, Food and Civil Supplies Department, Secretariat, Hyderabad.
3. The Commissioner of Police, Hyderabad City, Basheerbagh, Hyderabad - 500028.
4. The Commissioner of Police, P/21, Old Mumbai Hwy, Sri Shyam Nagar, Telecom Nagar Extension, Gachibowli, Cyberabad, Ranga Reddy Telangana 500032
5. Vihaan Direct Selling, (I) Private Limited, Level 7, Mfar Greenheart, Manyata Tech Park, Outer Ring Road, Hebbal, Bangalore - 560045, Karnataka. Rep by Authorised Representative

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : Sri VIKRAM POOSERLA
Counsel for the Respondent Nos.1,3,4 : GP FOR HOME (TG)
Counsel for the Respondent No.2 : GP for Social Welfare

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 respondent police authorities not to register any criminal cases against the Respondent no.5, Direct Sellers of Respondent no.5, members of the Petitioner for involvement with the direct selling and multi-level marketing business activity of Respondent no. 5 which is being conducted as per the policy guidelines of the 2nd respondent, pending disposal of the writ petition No. 2289 of 2019, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER:

The learned Government Pleader for Home takes notice on behalf of respondent nos.1, 3 and 4.

The learned Government Pleader for Civil Supplies takes notice on behalf of 2nd respondent.

The counsel for petitioner(s) shall take out personal notice to 5th respondent by way of Registered Post Acknowledgment Due (R.P.A.D.) and file proof of service into the Registry.

The petitioner has filed this Writ Petition alleging that the State had issued notification containing the Telangana Direct Selling Guidelines, 2017 vide G.O.Ms.No.29 Consumer Affairs, Food & Civil Supplies (CS.I-CCS) Department dt.01.12.2017; that these guidelines were issued pursuant to Advisory contained in GSR 1013 (E) dt.26.10.2016 of the Department of Consumer Affairs, Government of India; and that respondent nos.1, 3 and 4 are not following the same, and are indiscriminately registering criminal cases against the members of the petitioner-Association.

The learned Government Pleader for Home, appearing for respondent nos.1, 3 and 4, states that the said guidelines contained in G.O.Ms.No.29 dt.01.12.2017 would be followed by respondent nos.1, 3 and 4.

In view of the said submission, there shall be interim direction restraining the respondent nos.1, 3 and 4 from taking any action against the members of petitioner-Association so long as the members of petitioner-Association act in accordance with the Telangana Direct Selling Guidelines, 2017.

//TRUE COPY//

Sd/- K.SAILESHI
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Secretary, Home Department, State of Telangana, Secretariat, Hyderabad.
2. The Secretary, Consumer Affairs, Food and Civil Supplies Department, State of Telangana, Secretariat, Hyderabad.
3. The Commissioner of Police, Hyderabad City, Basheerbagh, Hyderabad - 500028.
4. The Commissioner of Police, P/21, Old Mumbai Hwy, Sri Shyam Nagar, Telecom Nagar Extension, Gachibowli, Cyberabad, Ranga Reddy Telangana 500032
5. Vihaan Direct Selling, (I) Private Limited, Level 7, Mfar Greenheart, Manyata Tech Park, Outer Ring Road, Hebbal, Bangalore - 560045, Karnataka. Rep by Authorised Representative(1 to 5 By RPAD)
6. One CC to SRI VIKRAM POOSERLA Advocate [OPUC]
7. Two CCs to GP FOR HOME (TG), High Court at Hyderabad. [OUT]
8. Two CCs to GP for Social Welfare (TG), High Court at Hyderabad. (OUT)
9. One spare copy.

HIGH COURT

PNR,J

DATED:06/02/2019

ORDER

IA No. 1 OF 2019
IN
WP NO: 2289 OF 2019

INTERIM DIRECTION



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