

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

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WRIT PETITION No.1359 of 2009

ORDER:

This Writ Petition is filed claiming the following relief/s:-

“.....the petitioners herein pray that this Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the 3rd and 4th respondents in interfering with the land in survey number 138 admeasuring Ac:10-14 gts, Sy.No.139 admeasuring Ac:10-08 gts and land in Sy.No.163 admeasuring Ac:9-16 gts situated at Tirumalaipalem village of the petitioners is illegal, arbitrary, unjust, in violation of principles of natural justice, wholly without jurisdiction and without following the due process of law and in violation of Article 300A of the Constitution of India and consequently direct the 3rd and 4th respondents not to interfere with the land of the petitioners stated above and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case”

There is no representation for the writ petitioners. Sri Ch.Satish Kumar, learned Standing Counsel for Endowments appearing for the fourth respondent is present.

In the counter affidavit of the fourth respondent, it is stated in paragraph number 5 as follows:-

“It is submitted that the land measuring Ac.10-14 in Sy.No.138, Ac.1-08 guntas in Sy.No.139 and Ac.9-16 guntas in Sy.No.163 were leased out to one Samineni Chandra Sekhar S/o Pitchaiah through a public auction on 06.03.2009 for a sum of Rs.25,000/- for period from 2009-12 again after completion of 3 years the temple authority conducted auction in the year 2012 for a period from 2012-2015 (3 years) were leased out to one Konda Bala Venkanna for a sum of Rs.51,500/- and he is in physical possession of the said land, being a lessee of the temple.”

No reply affidavit is filed by the petitioners. In view of the submission of the

fourth respondent in the counter affidavit extracted supra, it appears that the cause in the writ petition does not survive for adjudication.

Accordingly, the Writ Petition is dismissed as infructuous. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

M.Seetharama Murti, J

12th November, 2015

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