

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1539 OF 2009

-

ORDER:

This writ petition is filed for a writ of *Mandamus* declaring the impugned action of the respondents in seeking to demolish and renovate the choultry building belonging to the 4th respondent bearing D.No.27-4-24, Kakinada, pursuant to the tender cum public auction notice dated 01.10.2008 without passing appropriate resolutions by the majority of the Trust Board, without even proposing the future course of action such as plans, budgets, estimates etc. and without following due process of law and violative of provisions of the A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1987, as illegal and arbitrary and for a consequential direction to the respondents not to interfere with the aforesaid building without finalizing the development plans in a transparent manner with the approval by the majority of the Trust board members.

At the time of admission on 03.02.2009, no interim order was granted by this Court.

Now, counter is filed by the respondents stating that the Choultry building bearing Door No.27-4-24 is in dilapidated condition and a proposal was submitted to the Assistant Commissioner, Endowments, Rajahmundry to accord permission to dismantle the old building; that accordingly, the Assistant Commissioner, Endowments, Rajahmundry in L.Dis.No.A3/11460/2007, dated 24.12.2007 permitted to dismantle the old building and thereafter valuation of old material like wood, tiles and bricks etc. was done by the Executive Engineer, Endowments, Kakinada and auction was also conducted on

03.04.2010 and the bid was knocked down in favour of one Sri I.Suryanarayana for Rs.9,32,000/-; that the auction report was submitted by the Deputy Commissioner to the Commissioner, Endowments; and that the Commissioner was pleased to approve the same and thereafter the highest bidder has paid the bid amount and started demolition work. It was also stated that the petitioner also has given a consent letter dated 10.09.2009 stating that he is going to withdraw the writ petition.

Heard learned Government Pleader for Endowments.

In view of the contentions raised in the counter affidavit, nothing survives in the writ petition for adjudication.

Accordingly, the writ petition is dismissed as infructuous.
No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

21.09.2015

tk