

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.35935 of 2015

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04.11.2015

Between:

Vanacharla Vijaya Kumar

.. Petitioner

and

The State of Andhra Pradesh,

represented by its Principal Secretary,

Endowments Department,

Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.T.V.S.Prabhakar Rao

Counsel for respondent Nos.1 to 3: Government Pleader for

Endowments (AP)

Counsel for respondent Nos.4 and 5: Ms.K.Lalitha,

standing counsel

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the auction notice, dated 21.10.2015, issued by respondent No.5 in respect of land admeasuring Ac.0.88 cents in R.S.No.701 of Mummidivaram Village and Mandal, East Godavari District, as illegal and arbitrary.

The only ground on which the petitioner has assailed the impugned auction notice is that respondent No.5, who is only an archaka of respondent No.4 temple, has no power or authority to auction the temple lands.

Ms.K.Lakshmi, learned standing counsel for respondent No.4 temple appearing for respondent Nos.4 and 5, submitted that respondent No.5 is not only an archaka but also a single trustee in whom the administration is vested.

In the light of the above clarification made by the learned standing counsel, I do not find any merit in the plea raised by the petitioner.

The learned counsel for the petitioner submitted that as the petitioner's father died and a writ petition was earlier filed against respondent No.4 temple, the

petitioner may not be permitted to participate in the auction proceedings. This apprehension has been dispelled by the learned standing counsel by assuring that the offer of the petitioner will be considered along with the offers of others and respondent No.5 will take an impartial decision while considering the offers made by the bidders including the petitioner.

In the light of the above submissions of the learned standing counsel, which are placed on record, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.46208 of 2015 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

04th November, 2015

GHN