

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

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Writ Petition No.9384 of 2010

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ORDER:

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The writ petition is filed seeking the following relief/s:

'..to issue a Writ, order or direction, especially one in the nature of Writ of Mandamus declaring the action of the 3rd respondent to conduct public auction on 29.04.2010 in respect of lands of an extent of Ac.3.56 cents in Sy.No.56 Katravulapalli, Jaggampeta Mandal, East Godavari District, pending the petitioners' application before the 2nd respondent to declare them as landless poor as illegal, arbitrary, and votive of Section 82 of A.P. Charitable & Hindu Religious Institutions and Endowments Act, 1987 and the rules made there and further direct the 2nd respondent to dispose of the application made by the petitioners to declare them as landless poor as per Section 82 of the Act.'

[Reproduced verbatim]

The learned Government Pleader for Endowments appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the 3rd respondent had filed counter affidavits resisting the writ petition.

I have heard the submissions of the learned counsel for the writ petitioners and the learned Standing Counsel appearing for the 3rd respondent. I have perused the material record.

The case of the writ petitioners is that they have been cultivating the dry land in an extent of Ac.3.56 cents in Sy.No.56 of Yerrampalem Village, which belonged to the 3rd respondent institution and that pursuant to the issuance of G.O.Ms.No.379 Rev (Endowments-I) dated 11.03.2003, the petitioners had made an application to the 2nd respondent in terms to the said GO to declare them as landless poor and that while the said application is under

consideration, the 3rd respondent along with the staff had come to the lands and directed the petitioners to vacate the land and that on enquiries, the petitioners came to know that the 3rd respondent is intending to put the subject land along with other lands to public auction on 29.04.2010 and that therefore, feeling aggrieved, the petitioners are before this Court.

At the time of hearing, the learned Standing Counsel would fairly submit that the application of the petitioners was considered subsequently by the 2nd respondent and that the petitioners were declared as landless poor persons and that the petitioners were permitted to continue in possession of the subject property as lessees of the 3rd respondent institution and that, therefore, no further orders need be passed in this writ petition.

The learned counsel for the writ petitioners did not dispute the factual position stated by the learned Standing Counsel.

Recording the submissions of both the sides, the Writ Petition is accordingly disposed of as no cause survives for adjudication. No costs.

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

M. SEETHARAMA MURTI, J

01.12.2015

Vjl