

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.8134 of 2015

Date: 02.04.2015

Between:

J.Parimala, W/o.Malyadri,

Kalluru Mandal, Khammam District and

Seven others

.... Petitioners

AND

The State of Telangana, represented by its

Principal Secretary, Panchayat Raj Department,

Hyderabad and 4 others

.... Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.8134 of 2015

ORDER:

The grievance of the petitioners is that they are all tenants of fourth respondent – Gram Panchayat and their leases are going to expire on 31.03.2015 and before expiry of their leases, they made an application to the Gram Panchayat for extension of their leases. But, without considering the

same, the impugned notice was issued to the petitioners to vacate the premises. Aggrieved by the same, the present writ petition is filed.

2. Heard the learned counsel for the petitioners and the learned Government Pleader for Panchayat Raj, for respondents 1 to 3 and Sri P.Raghavender Reddy, learned counsel for respondents 4 and 5.

3. Learned counsel for the petitioners contends that though the other tenants were served with notice, petitioners have not served any such notice for eviction and petitioners are discriminated.

4. On the other hand, counter is filed by the 4th respondent saying that because of injunction granted by the civil Court, no auction notice was served, and steps are being taken by the gram panchayat to get the interim orders vacated. However, in the counter affidavit a strange plea is taken that though no interim order is granted by the trial Court, only on the instructions of Assistant Government Pleader, they have not issued any notification for conducting the auction.

5. In this case, admittedly petitioners' leases were expired by 31.03.2015. If the petitioners are interested to continue as tenants, they can also participate in case the respondent gram panchayat proposes to conduct auction and till the auction is conducted and finalized, petitioners shall be continued on the enhanced rents as requested by them. In case petitioners emerge as successful bidders in the auction, they shall be continued as per the terms and conditions of the fresh auction. Otherwise, petitioners have to vacate the premises since their leases were expired by 31.03.2015 and no provision of law was brought to the notice of this Court that they are entitled for extension of leases. However, petitioners are allowed to continue on their undertaking that they will vacate the premises as and when auction is conducted and finalized.

6. With the above direction, writ petition is disposed of. There shall be 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

Date:02.04.2015

Rns

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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