

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

WRIT PETITION No.17994 of 2015

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Between:

Kondeti Rambabu, S/o. Nageswara Rao,
Aged about 51 years, R/o. D.No.18-10/1-8,
Kedhareswarapeta, 8th Line, Vijayawada,
Krishna District.

.. Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Municipal Administration Department,
Secretariat, Hyderabad & 2 others

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 27.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | No |
| 3 | Whether His Lordship wish to see the fair copy of the Judgment? | No |

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.17794 of 2015

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ORDER:

In pursuant to the open auction conducted for leasing of "Karmala Satram" at Satyanarayanapuram, Vijayawada, lease was granted in favour of the petitioner for one year. The petitioner now seeks renewal of lease and continuation of lease for a further period of three years. According to the averments in the writ petition, notice, dated 31.01.2015, was served on the petitioner asking the petitioner to vacate the premises on or before 04.03.2015. Contending that the petitioner's application for renewal of lease is not granted and he was asked to vacate the premises, this writ petition is instituted.

2. Learned counsel for the petitioner submits that in accordance with Rule 12(e) of the Regulations of Receipts and Expenditure Rules, 1968, governing the Municipal Corporation, the petitioner is entitled for renewal of lease on payment of enhanced lease amount, but not granting the lease and directing him to vacate the premises is illegal.

3. When the matter is taken up for consideration, learned Standing Counsel, on instructions, submits that the petitioner has since handed over the possession of the subject premises and as of now, the Vijayawada Municipal Corporation is running the "Karmala Satram" (Karmala

Bhavan). It is also to be noted that even according to the averments of the petitioner in the affidavit filed in support of this writ petition, the lease was granted to him only for one year. Once the period of lease expired, the petitioner cannot insist as a matter of right for renewal of lease for further period. It is for the respondent Corporation to go for fresh auction or utilize the property by any other means. Furthermore, a copy of the notice is not filed. The content of the said notice is not placed on the record of this Court.

4. Be that as it may, as the petitioner has no right to insist for renewal of lease and the petitioner was already evicted from the premises, no relief as sought for by him can be granted.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 27th July, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.17794 of 2015

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Date: 27th July, 2015

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