

**HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.1923 OF 2015**

**ORDER :**

This petition is filed for a writ of *Mandamus* declaring the action of the 1<sup>st</sup> respondent-Thirumala Thirupathi Devasthanam, Thirupathi, Chittoor District, rep. by its Executive officer, in allotting the Shop No.2 NC at Thirumala vide proceedings dated 10.09.2008 in favour of the 5<sup>th</sup> respondent, on the allegation that the 5<sup>th</sup> respondent purchased the shop from the petitioner's mother, which was originally granted in favour of petitioner's mother vide proceedings dated 09.04.1992, as illegal and arbitrary.

The case of the petitioner is that his father was the absolute owner of the site at Kurlagunta Road, Thirupathi and the said land was acquired by the respondents 1 to 3 in the year 1992. At the time the said site was acquired, petitioner's father died and the next person who was entitled for the benefit of compensation was the petitioner's mother. But, she did not take the benefit of receiving the amount towards land acquisition, but instead had availed the benefit of allotment of a shop at Thirumala for her livelihood and the TTD in conformity with its policy had allotted Shop No.53 to the petitioner's mother vide proceedings dated 09.04.1992 initially for a period of one year on payment of a rent of Rs.146.45 ps. per month. Thereafter, petitioner's mother filed an application seeking renewal of license and also for allotment of an alternative site for running her business, on 26.03.1997 before the 1<sup>st</sup> respondent. Thereafter, the 1<sup>st</sup> respondent vide proceedings dated 10.11.1994 allotted space in front of 2 New Choultry, Thirumala and also granted D & O Trade License to the shop vide

proceedings dated 20.02.1997. While so, the 5<sup>th</sup> respondent who was helping the petitioner in his business taking innocence of the petitioner's mother as advantage, by producing false and fabricated documents, got effected her name as if the said shop was sold to her and the respondents also transferred the license in favour of the 5<sup>th</sup> respondent as an alleged purchase of the shop. The petitioner also filed number of representations complaining about the illegality committed by the 5<sup>th</sup> respondent and the latest representation was made on 04.08.2014. In pursuance of the representations made by the petitioner, the 1<sup>st</sup> respondent issued notice dated 26.12.2014 to the 5<sup>th</sup> respondent asking the 5<sup>th</sup> respondent as well as the petitioner to appear before him on 06.01.2015 for conducting enquiry. But, till today, no action has been taken. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner.

Learned Standing Counsel for respondents 1 to 3 submits that the licence of the petitioner expired long back.

Since already notice is issued to the 5<sup>th</sup> respondent in pursuance to the representation of the petitioner, it is for the 1<sup>st</sup> respondent to consider the objections of the 5<sup>th</sup> respondent and pass appropriate orders. In view of the same, the 1<sup>st</sup> respondent is directed to consider the objection of the petitioner as well as the 5<sup>th</sup> respondent and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order and take action as per law.

Accordingly, the writ petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any,

pending in the writ petition, shall stand closed.

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**A.RAJASHEKER REDDY, J**

25.02.2015  
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