

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.9446 of 2004

Between:

Kollu Mahendra Rao

PETITIONER

AND

1. The Assistant Commissioner, Endowments Department, Rajahmundry,
East Godavari District, and others.

RESPONDENTS

ORDER:

Heard learned counsel for the petitioner, the learned Government Pleader for Endowments for respondents 1 and 2 and Sri V.T.M. Prasad learned counsel appearing for the 3rd respondent.

This writ petition was filed challenging the action of the 3rd respondent in proceeding against the petitioner for evicting from the land admeasuring Ac.0.94

cents, situated in Sy.No.4 of Batnavilly Village of Amalapuram Mandal, East Godavari District.

Though no counter has been filed by respondents 1 and 2, in the counter filed by the 3rd respondent-temple, it is stated that the 3rd respondent-temple is the absolute owner of a total extent of Ac.5.64 cents out of which an extent of Ac.4.03 cents was acquired by the Railways and the balance extent of Ac.1.61 cents was put to public auction on 28.05.2004. In the said public auction one Sri Theyyala Suri Babu has been declared as the highest bidder and he was given possession of the said land. The interim order passed in the present writ petition was received by the 3rd respondent on 11.06.2004 after putting the said successful bidder in possession of the land.

In view of the said submission, nothing survives for adjudication in the present writ petition and the same is dismissed as infructuous. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

A. RAMALINGESWARA RAO, J.

27th March, 2015

Js.