

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION NO.13393 of 2011**

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Between:

M/s. Sai Ram Fruit company  
Rep. by its Proprietor M. Narasimhulu

PETITIONER

AND

1. The Commissioner and Director of Agricultural Marketing,  
Government of Andhra Pradesh, BRKR Bhavan, Tank Bund  
Road, Hyderabad, and others.

RESPONDENTS

## **ORDER:**

Heard learned counsel for the petitioner, learned Government Pleader for Agriculture (Telangana) for respondent Nos.1 & 2, Smt. G. Neeraja Reddy, learned Standing Counsel for 3<sup>rd</sup> respondent and learned Government Pleader for Home for respondents 4 to 7.

This writ petition is filed challenging the action of the 1<sup>st</sup> respondent in not considering the directions given by the 2<sup>nd</sup> respondent dated 27.05.2010 and not allotting ground floor premises G.1 to the petitioner in the Bank of Baroda Building at Gaddiannaram.

This Court admitted the writ petition on 30.04.2011 and thereafter, a detailed order has been passed in W.P.M.P.No.16246 of 2011 on 29.07.2015, which reads as under:

“This application is filed for a direction to respondent Nos.1 and 3 to take appropriate steps for vacation of the place allotted to the petitioner.

A perusal of the record shows that though initially the petitioner was allotted a place in the ground floor of the premises, which was later occupied for construction of Police Station, Chaitanyapuri, and the same was approved by the Government, subsequently, memo, dated 17.03.2011, was issued by the Government modifying its earlier order and directing the Agricultural Market Committee to allot alternative place to the petitioner.

At the hearing, learned Assistant Government Pleader for Agriculture placed before the Court, copy of proceedings, dated 24.07.2015, of respondent No.3, wherein it is mentioned that as the premises, in which the petitioner was allotted place, is being dismantled by the Metro Rail authority, it is not possible to handover the allotted place to it and that instead, the petitioner can occupy the place admeasuring 200 sq. yds. near shed No.C-15.

In these facts and circumstances of the case, no interim direction in this application can be granted. Accordingly, while giving liberty to the petitioner to occupy the 200 sq.yds place near shed C-15 as per

proceedings, dated 24.07.2015, of respondent No.3,  
W.P.M.P. is dismissed.”

From the above, it is clear that as the place allotted to the petitioner was required for public purpose, the petitioner was offered 200 Sq. yards near shed No.C-15 as per the proceedings dated 24.07.2015. The reason for canceling the original allotment made to the petitioner is as the same was occupied by the Home Department to set up a police station. In the light of the orders passed by this Court in W.P.M.P.No.16246 of 2011 and there being no further claim made by the petitioner, the order passed in W.P.M.P. is made as final order in the writ petition. However, the petitioner is at liberty to approach the 3<sup>rd</sup> respondent to take possession of Shed No.C-15 in terms of the offer made by the 3<sup>rd</sup> respondent vide proceedings dated 24.07.2015.

With the above observation, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. No costs.

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**CHALLA KODANDA RAM, J.**

9<sup>th</sup> December, 2015  
Js.