

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29308 OF 2011

ORDER

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This writ petition is filed for a writ of mandamus declaring the action of the 3rd respondent in cancelling the lease vide proceedings dated 18.08.2011, which was served on the petitioner on 24.08.2011, in respect of coconut trees raised on the bank of Penucheruvu, Penmalla Village, Kajuluru Mandal, East Godavari District, though the lease is subsisting till 30.06.2013 and calling for tenders on 25.08.2011 and finalising the same on 05.10.2011 in favour of the 4th respondent and also the action of the respondents 1 and 3 in not considering the petitioner's representation dated 26.09.2011, as illegal and arbitrary and for a consequential direction to set aside the subsequent lease dated 05.10.2011.

While admitting the writ petition, no interim order was granted by this Court.

The case of the petitioner is that the 3rd respondent has illegally cancelled the lease of the petitioner though the same was subsisting till 30.06.2013 and the lease hold rights are put to auction by way impugned tender notification.

Counter affidavit is filed by the 3rd respondent stating that since the petitioner has violated the conditions specified in the lease agreement, his lease was cancelled and sought for dismissal of the writ petition.

Heard the learned counsel for the petitioner and Sri Ravi Cheemalapati, learned Standing counsel for the respondents.

By efflux of time, the lease period of the petitioner has expired by 30.06.2013 and even otherwise it appears that since the petitioner has violated the conditions of the lease agreement, the said lease was cancelled and fresh auction was conducted by virtue of impugned order. As such, the cause in the writ petition does not survive for adjudication.

Accordingly, the writ petition is dismissed as infructuous. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

Date: 30.09.2015

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