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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.20968 of 2009

ORDER ::

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in rejecting the application of the petitioner for extending the leasehold rights in respect of Ac.2-70 cents of land situated at Nanduru Village, Ponnuru Mandal, Guntur District, as being illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to extend the leasehold rights in respect of Ac.2-70 cents of land in question.

2. This Court by order dated 05-10-2009, while issuing Notice before Admission, directed the parties to maintain status-quo for a period of three weeks and it was extended from time to time. Counter affidavit was filed by the 2nd respondent along with the vacate stay petition. This Court by order dated 10-02-2010, having noticed that after expiry of three years lease period, auction was conducted on 5-6-2009, for further period of three years from 2009-10 to 2011-12 and one Mr.Gandikota Venkateswarlu became the highest bidder, than the petitioner and the said third party was also inducted into possession of the land in question, vacated the order of status-quo dated 05-10-2009, as extended from time to time, and allowed the vacate petition.

3. A perusal of the averments made in the counter affidavit filed by the 2nd respondent-Temple, possession of the land in question is stated to be handed over to the highest bidder in the

auction conducted. It is not the case of the petitioner that he made any application to the Assistant Commissioner of Endowments, to declare him as a landless poor person to consider his case for continuation of his possession over the land in question. Only on the ground that the petitioner being a lease holder of the land for the previous lease years, he cannot restrain the 2nd respondent-Temple from putting the land for auction. No rights muchless any vested rights of the petitioner are infringed to warrant interference by this Court in exercise of its powers under Article 226 of the Constitution.

4. In the circumstances, I do not find any merit in the writ petition and it is accordingly dismissed. Miscellaneous petitions, if any pending in this case shall also stand dismissed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

Dated: 18TH September, 2015
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Dated: 18-09-2015

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