

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18655 of 2016

ORDER:

In this writ petition, petitioner seeks a direction to the respondent authorities to consider his case for allotment of shop at the up hills of Yadagirigutta.

It is the case and contention of the learned counsel for the petitioner that in an earlier occasion, on account of sustaining loss, petitioner could not pay and fell due certain amounts to Devasthanam and now the petitioner is willing to pay all the dues to Devasthanam. Hence, this writ petition seeking a direction to respondents to reconsider the application of the petitioner for allotment of shop.

On the other hand, learned Standing counsel as well as learned Government Pleader submit that earlier Devasthanam was forced to approach the Civil Court by filing suit in O.S.No.99 of 2005 for recovering amounts from the writ petitioner and in said suit, a decree was also passed on 19.06.2008. Though, judgment and decree are passed in the year 2008 itself, petitioner did not pay the money due to the Temple. It is their further submission that as a matter of fact, persons who are in arrears of money to the Temple are not entitled to participate in tenders/auctions conducted by the Temple for allotment of shops.

Having considered the respective submissions and considering the fact that the petitioner is now ready to pay the amounts due under the decree along with interest, the clog attached to the petitioner would be vanished once the petitioner makes the payment subject to his making payment due under decree, in which event the respondents-Temple authorities may consider the case of the petitioner, in terms of its policies.

With above observations, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM, J.

14th June, 2016
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