

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION NO.22085 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to issue writ of mandamus declaring the action on the part of the 4th respondent in issuing auction notice, dated 06-06-2016 in respect of lands belong to the petitioners without following the due process of law and without considering the representation of the petitioners, dated 05-05-2016 as illegal and arbitrary and consequently set aside the auction notice, dated 06-06-2016.

2. Heard learned counsel for the petitioners, learned Government Pleader for respondents 1 to 3 and also Sri A.Sreekant Reddy, learned standing counsel for 4th respondent.

3. The case of the petitioners is that their forefathers onwards, their family members have been performing Archakatvam in the group of temples of the 4th respondent, Pagidala village, Rajupalem Mandal, Kadapa District. Basing on their performance of Archakatvam, the trustees of the group of temples allotted the lands to an extent of Ac.6.14 cents in Sy.No.389 and Ac.0.19 cents in Sy.No.392 of Pagidala village to their ancestors. After the death of their father, the petitioners have been cultivating the said lands for eking out their livelihood. While so, the 4th respondent issued the impugned auction notice. In spite of their approach to the 4th respondent by way of representation, dated 05-05-2016, no orders have been passed so far. Hence, the writ petition.

4. The contention of the learned counsel for the petitioners is that the respondents have conducted the auction lease rights of the land without following the due process of law.

5. Learned standing counsel for the 4th respondent submitted that the auction was conducted on 15-06-2016 and the highest bidders were put in possession of the land.

6. The predominant contention of the learned counsel for the petitioners is that the petitioners submitted a representation to the 3rd respondent on 05-05-2016 and the same is pending before

him. The petitioners requested the Court to direct the 3rd respondent to dispose of the representation.

7. In view of the submission made by the learned counsel for the petitioners, the 3rd respondent herein is directed to dispose of the representation of the petitioner, dated 05-05-2016 in accordance with law as expeditiously as possible preferably within a period of two months from the date of receipt of a copy of this order.

8. Accordingly, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any pending, in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED:19-07-2016.

Hsd