

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22525 of 2016

ORDER:

The case of the petitioner is that he was allotted shop No. 49 at Up Hills, Raja Gopuram Veedhi, Yadagirigutta, in the open auction conducted in 1999, on a monthly rent of Rs.7,000/-. Thereafter, on 15.09.2009, his shop was removed and at the same time, he was served with a notice demanding to pay the arrears in a sum of Rs.4,00,000/-, for which he could pay only Rs.25,000/-. He has submitted a representation dated 24.05.2016 to Respondents 2 and 3 to allot him a new shop at Up Hills. He has also expressed his willingness to clear the amount due in installments. But, no action has been taken thereon, is the grievance made out in the Writ Petition.

Learned counsel for the petitioner submits that on account of heavy loss sustained by the petitioner, he could not pay the rents, but now he is ready and willing to clear the amounts due to the Devasthanam, in installments.

On the other hand, learned Standing Counsel as well as learned Government Pleader for Endowments (Telangana) would submit that the Devasthanam filed O.A.No. 306 of 2010 on the file of the Endowments Tribunal, for recovery of the rents due and the said O.A. was allowed. According to them, the persons, who are in arrears of rents to the Devasthanam, are not entitled to participate in the auctions conducted for allotment of the shops.

Considering the submissions made by the learned counsel on either side and keeping in view the fact that the petitioner is ready to pay the amounts due, in installments, it is observed that the petitioner may approach the Devasthanam authorities, in which event, the latter shall consider the feasibility of acceding to his request. It is made clear that subject to his clearing the dues, the Devasthanam authorities may consider the case of the petitioner, in terms of the policy decision taken in that regard.

With above observations, the writ petition stands disposed of.
No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J.

13th July 2016

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