

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32671 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction of the second respondent-Devasthanam in allotting Shop No.5 at Supadha Mandapam to the petitioner, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Endowments appearing for respondent Nos.1 and 3, and Sri A.Srikanth Reddy, the learned Standing Counsel for Endowments appearing for respondent No.2.

3. A perusal of the record reveals that the second respondent-Devasthanam issued a tender notification on 11.10.2014 for allotment of Shop No.5 and other shops. In pursuance of the notification, the petitioner submitted his application. The second respondent conducted auction on 21.10.2014 and the petitioner became highest bidder in respect of shop No.5. The petitioner paid the EMD and six months rent in advance. However, the second respondent has not allotted shop No.5 to the petitioner. A perusal of the record reveals that the petitioner submitted representations to the second respondent on 13.10.2015, 25.11.2015 and 25.07.2016. For one reason or other, the second respondent has not disposed of the said representations of the petitioner.

4. The learned Standing Counsel submitted that the second respondent returned money of the petitioner on 23.09.2016.

5. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct the second respondent to dispose of the representation of the petitioner dated 25.07.2016 as expeditiously as possible. The learned Standing Counsel for Endowments also consented for the same.

6. In view of the submissions made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

7. Having regard to the facts and circumstances of the case and also the submissions made by learned counsel for both parties, the second respondent is hereby directed to dispose of the representation of the petitioner dated 25.07.2016 in accordance with law, as expeditiously as possible, preferably within a period of one (1) month from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

9. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 26.09.2016

Ivd