

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18541 OF 2017

ORDER:

1. This writ petition is filed seeking to direct the 2nd respondent-Board to consider the application of the petitioner to permit him to run the canteen till 30.6.2017.

2. The case of the petitioner is as follows:

The 2nd respondent-Board invited the tenders from the eligible persons for grant of license to run the canteen under the name and style of Sri Padmavati Devi Big Canteen, DMV Road, Tirumala, for a period of three years. The petitioner participated in the tender process and he became the highest bidder. Hence, the license was granted to the petitioner to run the canteen for a period of three years commencing from the date of occupation of the canteen. As per the conditions, the license can be terminated by giving two months notice by either party during the subsistence of the period of license without assigning any reasons. Due to loss in the business, the petitioner made an application before the 2nd respondent requesting to take over the canteen from 3.6.2017 and to refund the deposited amounts. On such application, the 3rd respondent informed that they accepted the pre-closure of the canteen w.e.f. 10.6.2017 and directed the petitioner to hand over the vacant possession to TTD by removing all the furniture from the canteen on the evening of 10.6.2017. The petitioner made an application on 2.6.2017 requesting the 2nd respondent to take over the canteen by 30.6.2017 and to permit him to run the canteen upto 30.6.2017. Meanwhile, the 2nd respondent issued a tender notification on 24.5.2017 and opened the tenders on 13.6.2017. The petitioner informed the 2nd respondent that he will bear the differential

amount for the period from 10.6.2017 to 30.6.2017, if the bidder of the tender quoted the rate, over and above the rate, which the petitioner quoted earlier. But the 2nd respondent has not passed any orders so far. Hence, the petitioner filed this writ petition.

3. Heard and perused the material available on record.

4. When this matter has come up for hearing, the learned Government Pleader for Endowments submitted that the respondents have no serious objection for permitting the petitioner to run the subject canteen upto 30.6.2017 subject to condition of the petitioner paying differential amount for the period from 11.6.2017 to 30.6.2017 as pleaded in this writ petition.

5. The learned Counsel for the petitioner while accepting the submission made by the learned Government Pleader, submitted that the petitioner will pay the differential amount from 11.6.2017 to 30.6.2017 and therefore, permission may be granted to run the canteen till 30.6.2017.

6. Recording the above submissions, the Writ Petition is disposed of with the following direction:

“The petitioner is permitted to run the subject canteen till 30.6.2017 and he is directed to pay the differential amount for the period from 11.6.2017 and 30.6.2017, on the date of vacating the premises i.e., on 30.6.2017.”

No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 12th June, 2017
Nn.

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12/6/2017

Nn.