

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.25947 of 2007

ORDER:

The relief sought for in this Writ Petition is to declare the open auction notification issued by Venugopalaswamy Devasthanam, Ulavapadu village-3rd respondent to lease out fishing rights of Kothacheruvu situated at Chamadalava Village, Jaladanki Mandal, Nellore District by fixing auction schedule dated 06.12.2007 at 11.00 A.M. as illegal and arbitrary.

The petitioner claimed that the subject tank is a private tank wherein the petitioner and others had a share. An open auction notification dated 19.11.2007 was issued by the 3rd respondent to lease out fishing rights of Kothacheruvu, and the auction was scheduled to be held on 06.12.2007 at 11.00 A.M for the entire tank. The petitioner claimed that the auction notice was issued without putting them on notice, and without giving them an opportunity of being heard.

The open auction notification fixing the date of auction as 06.12.2007 was for the period December, 2007 to July, 2008. As the said period expired nearly 9 years ago, it is evident that the cause in the Writ Petition does not survive and the Writ Petition has become infructuous.

The Writ Petition is, accordingly, dismissed as infructuous. The Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:03.02.2017.