

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.7361 OF 2009

ORDER:

This Writ Petition is filed seeking a mandamus to declare the action of the respondents in rejecting the case of the petitioner for extension of lease in their favour, by enhancing the lease rent by 33.5% of the existing lease amount; and in discriminating the petitioner among other licencees, as being arbitrary and illegal.

The petitioner was the successful bidder in the auction held in the year 2006 for providing tent house material to the pilgrims at Yadagirigutta in the auction conducted on 15.03.2006. A lease was granted in his favour for a period of three years which expired on 31.03.2009. The petitioner claims to have made an application on 12.12.2009, for renewal of his lease agreement, contending that he had taken the lease at a very high lease amount; he had invested huge amounts; and was suffering losses due to lack of business. An interim order was passed on 08.04.2009 permitting the auction to go on, but that it should not be finalised. Thereafter, on 28.04.2009, the interim order was extended on condition that the petitioner deposited Rs.7,51,000/-, which was the highest bid received in the auction held on 27.03.2009, within a period of four weeks; and in default the said interim order was to stand vacated.

It is not known whether the petitioner had deposited the said amount of Rs.7.51 lakhs. In any event, the extension which the petitioner could have sought could only be for a period of three years which expired in the year 2012 more than five years ago. It is evident,

therefore, that the cause in the Writ Petition no longer survives necessitating any further adjudication by this Court.

The Writ Petition fails and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 14.07.2017.
MRKR

