

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20397 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in conducting public auction of the lands admeasuring Ac.2-66 cents in RS No.282/ 1, 272/3 and the land measuring Ac.1.50 cents in RS No.282/ 1 and 272/3 situated at Munagala Village, Korukonda Mandal, East Godavari District without following the procedure contemplated under G.O.Ms.No.379 dated 11.03.2003 nor disposing of the petitioners' representation dated 25.05.2017 for determination of their status as small farmers is as illegal, null and void and contrary to law and for a consequential order directing the respondents to drop all further proceedings including dispossession of the petitioners from the lands admeasuring Ac.2-66 cents in RS No.282/ 1, 272/3 and the land measuring Ac.1.50 cents in RS No.282/ 1 and 272/3 situated at Munagala Village, Korukonda Mandal, East Godavari District by setting aside the alleged auction dated 19.06.2017.”

2. Heard and perused the material available on record.
3. Learned counsel for the petitioners submitted that the petitioners are ready to pay the bid amount offered by the highest bidder in the auction held on 19.06.2017 and hence, the petitioners may be permitted to continue on lease on payment of the bid amount offered by the highest bidder in the said auction.

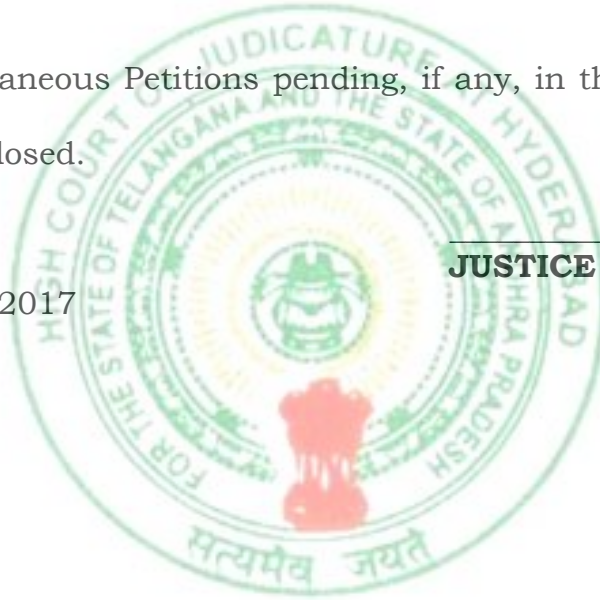
4. Considering all the facts and circumstances of the case and also in view of the fact that this Court earlier directed the respondents not to confirm the auction, no prejudice will be caused to the highest bidder in the auction held on 19.6.2017. Hence, the respondent authorities are directed to permit the petitioners to continue on lease for the subject lands on payment of the bid amount offered by the highest bidder in the said auction.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

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

Date : 21.07.2017
AMD

JUSTICE RAJA ELANGO



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AMD