

Writ Petition No.20920 of 2008

ORDER:

The relief sought for in this writ petition is to declare that the petitioners are entitled to purchase the lands in their occupation as they are landless poor persons, and to direct the respondents to effect sale in their favour otherwise than by tender cum public auction as per Section 82 of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 (Act 30 of 1987), and consequently direct the respondents to execute sale deeds in favour of the petitioners by according necessary sanction.

Sri M.Radha Krishna, learned counsel for the petitioners herein, (tenants of Mutt lands) and Sri P. Rajasekhar, learned counsel appearing on behalf of the 3rd respondent-Mutt, would submit that, while the Mutt is ready to sell and the petitioners, who are landless poor persons, are ready to buy the lands belonging to the Mutt, permission is required from the Commissioner for sale of these lands other than by way of tender cum auction.

As power is conferred by the Rules only on the Commissioner to grant exemption, it would be wholly inappropriate for this Court, in proceedings under Article 226 of the Constitution of India, to determine whether or not the subject lands should be permitted to be sold otherwise than by tender cum public auction. It is for the Commissioner to take a decision, in accordance with law, whether or not such permission should be granted.

As the application submitted by the petitioners is pending before the Commissioner, pursuant to the interim order passed by this Court earlier on 1.4.2009, ends of justice would be met if the Commissioner is directed to consider the said application strictly in accordance with law, take a decision, and communicate the same both to the petitioners and

the third respondent-Mutt at the earliest, and in any event, not later than four months from the date of receipt of a copy of this order.

The writ petition stands disposed of accordingly. The miscellaneous petitions, pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

7th April, 2017

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THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN



Writ Petition No.20920 of 2008

Date: 7.4.2017

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THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHANWrit Petition No. 22338 of 2007ORDER:

Neither Sri M.V.Narasimham, learned counsel for the petitioner, is present nor is there any representation on his behalf.

The relief sought for in the writ petition is to direct the respondents to consider the case of the petitioner for appointment to the post of Anganwadi worker at Anganwadi Centre of Katepalli B.C. Colony, Vinjamur Mandal, Nellore District.

Learned Government Pleader for Women Development and Child Welfare, would submit that in terms of the interim order passed by this Court on 22.10.2007, the petitioner's case was considered along with other eligible candidates and her candidature was rejected as she was over aged.

As the relief sought for by the petitioner is to consider her case and her case has been considered albeit pursuant to the interim order passed by this Court, the cause in the writ petition does not survive, and that the writ petition has become infructuous.

The writ petition is, accordingly, dismissed. The miscellaneous petitions, pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

30th September, 2016

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THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN



Writ Petition No. 22338 of 2007

Date: 30.09.2016

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