

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION NOS.12879, 12881 AND 12885 OF 2006

COMMON ORDER:

The action of the respondents in conducting auction on 30.06.2006 for leasing out Acs.2.00 cents in R.S.No.176/3, Ac.1.36 cents in R.S.No.177/1 and Ac.1.50 cents in R.S.No.178 respectively of Doddipatla Village, Elamanchili Mandal, West Godavari District, is questioned in these three Writ Petitions, as being arbitrary and illegal.

The petitioners claim to be cultivating tenants and landless poor. They question the action of the respondents in conducting auction of Temple lands. Pursuant to the interim orders passed by this Court on 27.06.2006 in WP.MP.Nos.15993, 15995 and 15999 of 2006 respectively, while the auction of the lands for grant of leasehold rights was permitted to go on, the petitioners were permitted to participate thereat, and the respondents were directed not to grant leases pursuant to the auction.

The interim orders passed by this Court have been in force for the past more than a decade. In view of passage of time, no useful purpose would now be served in directing leases to be granted in favour of the person who submitted the highest bid in the auction. The respondents are, therefore, directed to consider the petitioners' claim for grant of leasehold rights of the subject lands after ascertaining their claims to be cultivating tenants and landless poor persons. The respondents shall complete the exercise of verification, and passing of an order pursuant thereto, within three (3) months from the date of receipt of a copy of this order. It is open to the respondents thereafter, depending on the

decision taken by them, to grant lease of the subject Temple lands, if need be by conducting a public auction, in accordance with law.

All the three Writ Petitions stand disposed of accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(RAMESH RANGANATHAN, ACJ)

6th January 2017
RRB

