

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.15140 of 2013

ORDER:

Petitioner seeks a Writ of Mandamus directing the respondent authorities to reconsider his representation for running the tea stall in the premises of District Registrar Office, Hindupur (Sub-Registrar) Ananthapur District.

2a) The petitioners' case is that he established a tea bunk at Sub-Registrar Office, Hindupur for supplying tea and coffee to the public who comes for registration and also to the staff of Sub-Registrar Office and feeding his family with his earnings. While so, in 1984 the District Registrar has accepted his application and in accordance with the permission he has been operating the tea stall in the Sub-Registrar Office premises. It is his further case that R&B Department, Hindupur demolished his tea stall for the purpose of widening the road. Hence, he requested the respondent authorities to permit him to allow to conduct the same trade at the office premises. The 3rd respondent issued a notice directing him to remove the tea stall from the said office. Aggrieved, petitioner filed W.P.No.33974 of 2010 wherein an order dated 17.04.2012 was passed directing the petitioner to make a representation to the 3rd respondent within two weeks from the date of order seeking permission in which case, the 3rd respondent shall pass order within three weeks thereafter either according permission by imposing conditions or rejecting the same and if the permission is rejected, the petitioner shall be under obligation to remove the stall within four weeks from the date

of the order. Pursuant to the said order, the petitioner has made a representation to the 1st respondent through 2nd respondent. However the 3rd respondent rejected his representation.

b) Aggrieved, the petitioner filed W.P.No.11154 of 2013 and the said writ petition was disposed of on 12.04.2013, permitting the petitioner to vacate and remove the tea stall from the premises of Joint Sub-Registrar, Hindupur within four weeks from the date of order.

d) The petitioner further submits that he is feeding his family with the earnings of the tea stall and therefore he files the instant writ petition to give a direction to the respondent authorities to give further extension of time to remove the tea stall from the Joint Sub-Registrar Office, Hindupur or to reconsider his representation made to the respondent authorities.

e) The respondents filed counter and opposed the petition mainly contending that petitioner has no occasion to continue the tea stall as there is little place in the Sub-Registrar Office and more place is required for the movement of the people. It is stated in the counter that if the tea stall is continued, employees and general public and others will suffer much inconvenience. The respondents thus prayed to dismiss the writ petition.

Hence, the instant Writ Petition.

3) Heard arguments of Sri V.Roopesh Kumar Reddy, learned counsel for petitioner and learned Government Pleader for Revenue for respondents.

4) As can be seen, this Court in its order dated 12-04.2013 in W.P.No.11154 of 2013 granted four weeks time to the petitioner to vacate and remove the tea stall from the premises of the Joint Sub-Registrar, Hindupur. It appears, without complying the said direction, the petitioner has come up with instant writ petition. As per the submission of respondents in their counter, much inconvenience is being faced by the respondent authorities to conduct their day-today official duties in the Sub-Registrar Office due to continuous increase of the parties coming for registration purpose. In that view, the question of extension of time to the petitioner does not arise.

5) Accordingly, this writ petition is dismissed directing the petitioner to vacate and remove the tea stall from the premises of the Joint Sub-Registrar, Hindupur forthwith, if not already vacated. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 20.11.2018
Murthy