

**THE HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI**

**WRIT PETITION No.14194 OF 2013**

**ORDER:**

This Writ Petition is filed to declare the action of the respondent No.2 in contemplating to conduct auction for the lease hold rights of petitioners' shops Nos. 1,2,3,4, and 22 situated in the Municipal Shopping Complex on the southern side of A.C. Subba Reddy statue, A.C. Centre, Trunk Road, Nellore, pursuant to the notice in Roc.No.424/2013/A1, dated 2.3.2013 served on the petitioners on 13.4.2013, without following due process of law, as illegal and arbitrary.

The case of the petitioners is that they are the small traders and they are tenants of the subject shops; when the second respondent issued notice dated 2.3.2013 stating that since 25 years they have been continuing as tenants, lease period has expired; Corporation wants to conduct auction in respect of subject shops and directed the petitioners to vacate the same.

When the matter came up for admission, an interim direction was passed on 8.5.2013 directing the respondents to proceed with the proposed auction and the petitioners were directed to participate therein. It was further observed that in case petitioners emerge as the highest bidders, or if they are willing to pay the amount that is fetched as the highest bid, fresh lease shall be granted to them. The petitioners shall be evicted if any third party is declared as highest bidder.

When the matter came up for hearing today, learned Standing Counsel for the second respondent and the learned counsel for the petitioners submitted that the auction was

conducted and third party was declared as highest bidder and possession of the subject shops were given to the third party in accordance with the interim orders dated 8.5.2013 and hence, no further orders are necessary in the writ petition.

In view of the above facts and circumstances of the case, the writ petition is closed as no further orders are necessary. No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

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**KONGARA VIJAYA LAKSHMI, J**

**Date:15/12/2018**  
Slk



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