

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Petition No.8852 of 2009

Order:

This Writ Petition is filed to declare the proceedings dated 07.01.2009 issued by the third respondent rejecting the request of the petitioner for allotment of Shop No.2, located in third respondent Temple, as illegal and arbitrary and a consequential direction was sought to direct the third respondent to implement the orders passed by the second respondent dated 01.06.2006.

The case of the petitioner is that pursuant to the orders of the second respondent dated 01.06.2006, the Trust Board of the third respondent Temple passed a resolution to allot Shop No.2 in favour of the petitioner for a period of three years, but the third respondent – Temple did not implement the said orders passed by the second respondent and the third respondent – Temple issued the impugned proceedings dated 07.01.2009 stating that the allotment of new shops in the temple or renewal of the shops cannot be made as there is a proposal for shifting of existing shops situated on hills to the shopping complex proposed to be constructed on the foot of the hills; the third respondent Temple, having renewed the existing licences of various shops for a period of three years by proceedings dated 18.11.2008, cannot refuse the allotment of Shop No.2 in favour of the petitioner.

Today, when the matter is taken up for hearing, learned Standing Counsel appearing for the third respondent – Temple has passed on the instructions received from the Executive Officer of the third respondent – Temple, dated 25.11.2018, wherein it is stated that the petitioner continued in the shop at shopping complex of the third respondent

Temple from 01.04.2014 to 31.05.2016 and after that the Devasthanam authorities have taken up development activities and in that connection the existing shopping complex was dismantled.

In that view of the matter, no further orders are necessary in the Writ Petition and the same is, accordingly, closed. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J.

Date: 26.11.2018
Nsr



THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI



Writ Petition No.8852 of 2009

Date: 26.11.2018

Nsr