

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.19313 of 2011

ORDER:

The relief sought for in this Writ Petition is for a mandamus to declare the action of the Executive Officer, of the subject Mutt, in conducting auction for fish-rearing, for a period of three years in open auction, in the Pushkarini of the Temple, as illegal and arbitrary. A consequential direction is sought to set aside the auction held on 14.06.2011 as also the lease granted in favour of the 5th respondent.

In the counter-affidavit filed on behalf of the respondent-Temple, it is stated that auction was conducted for a period of three years, i.e from 2011-12 to 2013-14, on 14.06.2011 giving wide publicity; in the auction, the 5th respondent was the highest bidder; he paid 1/3rd of the amount immediately after the auction; and was, therefore, permitted to catch fish in the Pushkarini.

As noted hereinabove, the auction notice dated 14.06.2011 is for grant of lease hold rights for three years i.e from 2011-12 to 2013-14 which expired around four years ago. It is evident, therefore, that the cause in the Writ Petition does not survive necessitating any further adjudication by this Court, and the Writ Petition has become infructuous.

The Writ Petition is, accordingly, dismissed as infructuous. The Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:13-04-2018.
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