

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 33713 of 2015

ORDER:

This writ petition is filed by petitioner, under Article 226 of the Constitution of India, seeking a writ of mandamus declaring the action of respondents in not providing hawker licence or employment to him in 2nd respondent – Devasthanam being the displaced person, duly conducting an enquiry into the whole issue of allotment of hawker licences to ineligible persons, taking into consideration the representations dated 07.12.2011, 22.04.2012, 18.04..2014 and 03.09.2015 submitted by him, and in providing employment or hawker licences to ineligible displaced persons in pursuance of enquiry conducted by the 2nd respondent – Devasthanam against one Sri T.K. Siva Prasad, the then A.E.O. (Revenue), in the irregularities taken place in allotment of hawker licences, as illegal and arbitrary. A consequential direction is also sought to the respondents to provide employment or hawker licence to the petitioner being displaced person.

2. Heard Sri A. Sreedhar, learned counsel for the petitioner, and Ms. K. Lalitha, learned standing counsel for Tirumala Tirupati Devasthanam (TTD), appearing for the 2nd respondent.

3. It has been contended by the petitioner that the 2nd respondent – Devasthanam had taken his house bearing Door No.14/93 in Chandrababu Thota, Tirumala, that the 2nd respondent – Devasthanam

had come up with a scheme to provide employment or hawker licence to the displaced persons to do business at Tirumala, but however, he was not given any employment or hawker licence being the displaced person, and that though he submitted several representations to the respondents seeking employment or hawker licence, the respondents have not taken any action so far.

4. On the other hand, learned standing counsel for the 2nd respondent – Devasthanam has contended that the petitioner is not a displaced person and he had submitted only one representation on 03.09.2015 and in the said representation, he had not sought employment or hawker licence, but sought a detailed enquiry into the irregularities committed by some of the officials of the 2nd respondent – Devasthanam.

5. Having considered the rival submissions made by the parties, without expressing any opinion on merits, this Court is of the view that ends of justice would be met, if the petitioner is permitted to make a representation afresh to the 2nd respondent – Devasthanam.

6. Accordingly, the writ petition is disposed of permitting the petitioner to make a fresh representation to the 2nd respondent – Devasthanam, with a within a period of two (2) weeks from the date of receipt of a copy of this order, and upon such representation being made, the 2nd respondent – Devasthanam shall consider and pass

orders thereon purely based on the material produced by the petitioner, within a period of eight (8) weeks thereafter.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

17th April, 2018
cbs



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(disposed of)

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