

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.41447 OF 2018

Date: 20.11.2018

Between:

Tanneeru Chinna Bangaru, s/o. Anjaiah,
Aged about 40 years, occu: Pisciculture,
r/o.Minnekallu village, Santhamaguluru
Mandal, Prakasam district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its
Prl.Secretary to Government Panchayat Raj
Department, Secretariat, Velagapudi,
Amaravathi, Guntur district and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be the leaseholder of fishing rights in the village tank to an extent of Ac.69.42 cents in Sy.No.79/1F of Minnekallu Gram Panchayat of Santhamagaluru Mandal, Prakasam district. According to petitioner, leasehold rights were granted to him by way of open auction conducted for the period 2014-15 to 2017-18 as he turned out to be highest bidder. Petitioner alleges that for the present year, no auction was conducted and in the event of conducting auction, he would have taken lease for further period. Petitioner claims to have submitted representation on 04.09.2018 contending that lease should be extended to him and alleging inaction on the said representation, this writ petition is filed.

2. It is noticed from the record that no proof is filed to show that representation is submitted by petitioner as claimed by him. Be that as it may, lease granted to the petitioner expired. No manner of right vests in the petitioner, merely because he was holding lease for the previous year, to continue the lease period without conducting open auction. Since lease period is already over, respondent-Gram Panchayat is directed to take possession of the village tank and take steps to conduct open auction. If there is no registered society which is entitled to priority allocation of leasehold rights on the upset price determined by the competent authority, steps shall be taken to hold auction to assign leasehold rights as expeditiously as possible, preferably within a period of two months from the date of receipt of copy of this order. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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