

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 42107 of 2018

Date : 23.11.2018

Between:

B Tirupalaiah Chetty S/o late B V Chelamaiah Chetty aged 61
years H No 2/948 L B S Road Pileru Post and Mandal
Chittoor District

Petitioner

And

Agricultural Market Committee
Pileru Represented by its Secretary III Pileru Chittoor District
& others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioners, learned Government Pleader for Agriculture and learned standing counsel for Agricultural Market Committee.

2. Petitioners were granted license for Godown bearing Nos. 1 and 2 at Agricultural Market Committee, Piler in the year 2008 initially for a period of two years and the same was renewed from time to time by enhancing the rent by 10 % per year, however, no auction was conducted. Alleging that leases are renewed from time to time without conducting auction, WP No. 39215 of 2018 was filed. When the matter was taken, Court was informed that Agricultural Market Committee has taken steps to conduct open auction. Recording the same, said writ petition was closed. On 18.11.2018 public auction notice was issued to conduct auction on 23.11.2018.

3. Though, petitioners challenge the auction notice, learned counsel for petitioners fairly submits that petitioners have been in enjoyment of Godowns 1 and 2 for more than 10 years and all of a sudden public auction is being conducted and if lease is granted to third parties, would cause grave hardship to them and it is not possible for petitioners to secure another premises to relocate their business within short time and requested to grant reasonable time to vacate the premises.

4. In similar factual background in W P No. 42084 of 2018 this Court granted time till 31.12.2018 to the existing licensee to vacate the premises in the event of not succeeding in the open auction.

5. Following the same ratio in this case also, petitioners are granted time till 31.12.2018 to vacate the premises, if they are

unsuccessful in open auction scheduled to be conducted today i.e., 23.11.2018. It is made clear that petitioners should not seek any further extension of time and successful bidder is entitled to take possession of vacant godowns on 1.1.2019.

6. Subject to above, writ petition is disposed of. Miscellaneous petitions, if any pending, are closed.

DATE: 23-11-2018
TVK

P NAVEEN RAO,J



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