

THE HON'BLE SRI JUSTICE A. RAJASEKHAR REDDY

WRIT PETITION No.38808 of 2017

ORDER:

The Writ Petition is filed by the petitioner challenging the Proceedings dt. 01.11.2017 issued by Respondent No.1, wherein the petitioner was directed to vacate the premises of SPS Nidamanuru Campus on or before 15.11.2017 stating that the work of providing photocopy and printing jobs to the students of SPA, Vijayawada, has already been entrusted to some other firm with due process and await for operation of the services at SPAV Campus.

Learned counsel for the petitioner submits that the respondent authorities have allowed the petitioner and the petitioner had invested huge amount and purchased machinery by spending Rs.50,00,000/- and the same was delivered at the respondent premises, but now the petitioner cannot be asked to vacate the said premises as the petitioner will suffer financially as he invested huge amount.

Learned counsel for the petitioner further submits that the petitioner made a representation to the respondent authorities stating that the respondent Nos. 1 and 2 vacated the rented premises where the petitioner was carrying on his business of providing photocopy and printing jobs to the students of respondent Nos. 1 and 2 and moved to the new premises allotted by the Government and requested to allot space in new premises owned by the respondents.

Shri Suresh Kumar Potluri appearing for respondent Nos. 1 and 2 submits that the Writ Petition has become infructuous since respondent Nos. 1 and 2 itself vacated the rented premises and moved to the premises allotted by the Government and there is no legal right to the

petitioner for allotment of space in the new premises and as such, no mandamus can be granted and the representation submitted by the petitioner cannot be considered and the respondents have no authority to allot space except following due process. Since respondent Nos. 1 and 2 admittedly vacated the premises where the petitioner was carrying on business, nothing survives in this petition for consideration.

Admittedly, respondent Nos. 1 and 2 are Government Institutions within the definition of Article 12 of the Constitution of India and the petitioner has no legally enforceable right for allotment of space in the respondent organization. In view of the same, I do not see any reason to grant relief as prayed for by the petitioner. Therefore, the cause in this petition does not survive for determination and no direction can be issued in favour of the petitioner for allotment of space. However, Respondent Nos. 1 and 2 shall follow due process in allotment of any space. If any tender notification is issued by respondent Nos. 1 and 2, it is open for the petitioner to participate in the tender process.

With the above direction, this Writ Petition is disposed of.

The miscellaneous petition, if any, in this Writ Petition, shall stand closed.

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A. RAJASHEKER REDDY, J

Dt: 17-07-2018

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