

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22163 of 2019

ORDER :

This Writ Petition is filed seeking a *mandamus* to declare the action of the 3rd respondent Devasthanam in issuing the notice dated 19.09.2019 demanding to pay Rs.4,94,250/- towards arrears and to vacate shop No. 89 at Up Hills of Sri Laxminarasimha Swamy Devasthanam, Yadagirigutta, without allotting another shop by discriminating the petitioner from other shop owners, as illegal and arbitrary.

Learned counsel for the petitioner submits that his client undertakes to vacate the subject premises within a week from today, however, she prays to extend the similar benefit as was done to others by allotting a space for carrying out her business on the Up Hills of Yadagirigutta.

Learned Standing Counsel for the 3rd respondent *Sri Kotha Jagan Mohan Reddy* vehemently denies any accommodation being provided to others. He states that all people will be treated uniformly. According to him, even in the impugned notice, it is categorically stated that as and when shops are constructed, the petitioner also is at liberty to participate in the open auction to be conducted for the shops on lease at bottom of temple Hills.

As can be seen from the impugned notice, developmental works are being undertaken at the Up Hills. The petitioner therefore, does not have any right to squat over the property of the Devasthanam. At this stage, the learned counsel for the petitioner also undertakes to pay all the arrears without fail. He further

submits that the petitioner agrees to pay the lease amount as per the Rules with enhancement at 33%.

In that view of the matter, recording the undertaking given by the petitioner that she will vacate the premises in a week, the Writ Petition is closed. It is however, made clear, consideration of the petitioner's case for grant of shop would be subject to her clearing arrears of the amounts to be paid. No costs.

The miscellaneous Applications, if any shall stand closed.

01st October 2019

ksld

CHALLA KODANDA RAM, J

