

**HON'BLE SRI JUSTICE B. SESHASAYANA REDDY**

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**WRIT PETITION NO. 15899 OF 2012**

Between:

Pragada Subba Rao S/o Malludora

**.....Petitioner**

AND

The State of A.P. represented by its Principal Secretary , Revenue (Endowments)  
Department, Secretariat, Hyderabad and two others

**.....Respondents**

ORDER:

This Writ Petition has been filed by Sri Pragada Subba Rao, seeking Mandamus declaring the action of the respondents in issuing Open Auction Notice dated 14.5.2012 in respect of lands bearing S.No. 314/AE admeasuring Ac. 17.55 cents situated at Srungavruksham Village of Tondangi Mandal, East Godavari District, as illegal and arbitrary.

The petitioner claims that he is holding leasehold rights over the property bearing R.S.No. 314/A & B, to an extent of Ac. 17.55 cents situated at Srungavruksham Village of Tondangi Mandal, East Godavari District, having been a successful bidder in open auction conducted by the respondents 2 and 3 for the years 2009-10 to 2011-12 on 15.6.2009. He paid Rs. 1,26,000/- as lease amount for every year. When the respondents proposed to auction the lease hold rights for the years 2012 to 2015, the petitioner invoked the jurisdiction of this Court under Article 226, alleging that his representation dated 15.5.2012 is required to be considered before proceeding with the auction, scheduled on 31.5.2012.

Heard the learned counsel for the petitioner and perused the material placed on record.

The learned counsel appearing for the petitioner submits that as Srungavruksham Village has been declared as drought affected area, his lease period is to be extended for three more years.

I have gone through the representation-dated 15.5.2012. The grievance of the petitioner is that he incurred loss because of not getting good yielding of the land due to drought in the area. It is his contention that Srungavruksham Village has been declared as drought affected area and therefore, his lease period is to be extended to recoup the loss incurred by him.

It is a matter on record that the petitioner stood the highest bidder in the auction held on 15.6.2009 for the years 2009-2010 to 2011-2012. By the time he participated in the auction, he knew very well that the tenancy was for the specified period and after expiry of the said period, he has no right to continue the same. It is not his case that he is a small farmer and therefore he is entitled to get protection of his tenancy rights in view of the Rules 5, 10 and 11 of the A.P. Charitable and Hindu Religious Institutions and Endowments, Rules 2003.

In view of the same, I do not see any reason to entertain the Writ Petition and accordingly, the same is dismissed at the stage of admission itself.

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**B. SESHASAYANA REDDY, J**

DATE: 30.5.2012  
KA

... REGISTRAR

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