

THE HONOURABLE SRI JUSTICE B.KRISHNA MOHAN

WRIT PETITION NO.11422 of 2021

ORDER:-

Heard the learned Counsel for the petitioner and the learned Standing Counsel for the respondent No.3.

The grievance of the writ petitioner is that the respondent No.3 is going to conduct auction for the extent of land admeasuring 20.4 sq. yards situated in front of the petitioner's house D.No.20-3-30/1 adjacent to the Pamuru Road, Kandukuru Village, Prakasam District.

The learned Counsel for the petitioner submits that the subject land belongs to the petitioner and it is only kept open for the purpose of placing the deity for offering sevas by the villagers at the time of rituals. But the same is being claimed by the Endowments Department as if it belongs to them and they are trying to proceed with the conducting of auction to alienate the lease hold rights of the subject land.

On the other hand, the learned Standing Counsel also filed a counter affidavit on behalf of the respondent No.3 and it is specifically contended in the counter affidavit to the effect that on the verification of the register prepared under Section 43 of Act, 30 of 1987, it is found that the subject land does not belong to them. In view of the said specific averment at para 3 of the counter affidavit of the respondent

No.3, no further orders are necessary. Finally, the Writ Petition is disposed of.

Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, the miscellaneous applications pending if any shall stand closed.

JUSTICE B.KRISHNA MOHAN

Date: 30.08.2022

MJA

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