



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3458]

**TUESDAY ,THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 8348/2025

Between:

J Thulasi Ram

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.TRIMOORTHY K G

Counsel for the Respondent(S):

1.GP FOR ENDOWMENTS

The Court made the following:

ORDER:

Heard the learned counsel for the petitioner and Sri G. Naga Bhushanam, learned Assistant Government Pleader for Endowments.

2. The grievance of the petitioner is in conducting the public auction of lease hold rights in respect of the subject properties prescribed under the Rules have not been followed.

3. Learned counsel for the petitioner contends that the procedure that has been followed by the respondent No.7 – Temple is not in accordance with Rule 4 (2)(I) of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Immovable Properties and other Rights(Other than Agricultural Lands) Leases and Licenses Rules,2003.

4. Learned Assistant Government Pleader for respondents would contend that pursuant to the public auction notice, the petitioner has participated in the auction and the auction was concluded on 06.03.2025 and the successful bidder has also been put in possession of the subject properties.

5. On instructions, learned Standing Counsel for respondent No.7 would submit that the petitioner has also participated in the tender process. Having participated in the tender, the petitioner should not have any grievance about the procedure followed in issuing the auction notice.

6. Learned counsel for the petitioner draws attention of the Court to provisions of the Rule 4(I) of the A.P. Charitable & Hindu Religious Institutions & Endowments Immovable Properties and Other Rights (Other than Agriculture Lands) Leases and Licenses Rules, 2003, (for Short Rules) Sub-clause (I) of Rule 4, which reads as follows:

Rule 4(I). *The Executive Authority shall conduct Tender - cum - Public auction compulsorily before three months of expiry of existing license or Lease period. The executive Authority shall also issue a public notice of ten days to that effect in a leading*

news paper. The Executive Authority shall be personally responsible for delays caused in lease/ license auction.

Rule 6 & 7 of the Rules prescribes the procedure for issuance of Public auction notice.

6. Considered the rival submissions. Perused the record. The auction notice for auction of the lease hold rights of the subject properties for the period 1-4-2025 to 31-3-2028 was issued on 15-02-2025 scheduling the date of auction as 06-03-2025. The petitioner has participated in the public auction. Being unsuccessful, challenged the auction notice alleging that the auction notification, without pointing out any prejudice caused to him, after conclusion of the auction proceedings and handing over of the possession of the property in favour of the successful bidder.

7. The objective of specifying that the auction should be conducted three months before the lease expires must be understood as ensuring a smooth transition for both the outgoing and incoming leaseholders of the property. It is not the case that the petitioner is the existing leaseholder or the proposed lease holder of the subject property to have any grievance. Having regard to the above, this Court does not find any merit in the writ petition.

7. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date: 06.05.2025

MSI

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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MSI