

(2021) 09 TEL CK 0006
In the Telangana High Court
Case No : Writ Petition No. 20816 Of 2021

Kakarla Narasimha Rao

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 02-09-2021

Acts Referred:

Citation : (2021) 09 TEL CK 0006

Hon'ble Judges : K. Lakshman, J

Bench : Single Bench

Advocate : C H Satish Kumar

Final Decision : Disposed Of

Judgement

K. Lakshman, J

1. This writ petition is file to declare the action of the third respondent in issuing sealed tender-cum-open auction in Rc. No. SKDD/82/2021 dated 18.07.2021 in respect of licence rights of Shop No. 2 (Sale of Coconuts) for the period from 01.07.2021 to 30.06.2022, as illegal.

2. Heard Sri Ch. Satish Kumar, learned counsel for the petitioner, learned Government Pleader for Endowments, and Sri K. Jaganmohan Reddy, learned Standing counsel appearing for the 3rd respondent. With their consent, this writ petition is disposed of at the admission stage itself.

3. A perusal of the record would reveal that the petitioner herein was the successful bidder in the auction conducted pursuant to the Notification dated 26.02.2020 in respect of Shop No. 2 (Sales of Coconuts) of third respondent temple and the lease period was from 01.07.2020 to 30.06.2022. Petitioner could not conduct his business due to the present situation i.e., Covid-19 pandemic. Therefore, he has submitted representations dated 25.06.2021 and 27.07.2021 to the 2nd respondent with a request to permit him to pay the lease amount in installments, continue the lease period for one more year and in the

meanwhile not to issue any tender notification. Both the said representations were received by the second respondent and he has not taken any decision. In the meanwhile, the third respondent has issued the impugned tender notice dated 18.07.2021.

4. Sri Ch. Satish Kumar, learned counsel for the petitioner would submit that the petitioner is ready to pay the arrears of lease for the year 2020-2021 and he sought some time. Considering the present situation, the petitioner sought to extend the lease period upto 30.06.2022.

5. Sri K. Jaganmohan Reddy, learned Standing counsel appearing for the third respondent, referring to the order dated 13.08.2021 passed in W.P. No. 19053 of 2021, would submit that the present writ petition may be disposed of in terms of the said order.

6. In view of the above said submissions, considering the specific request of the petitioner in the above said representations, and also the order dated 13.08.2021 in W.P. No. 19053 of 2021, this writ petition is disposed of directing the petitioner herein to clear the arrears of lease for the lease year 2020-2021 within a period of one month from today. The petitioner shall continue to pay the very same amount for the lease year 2021-2022 which is going to expire by 30.06.2022 and the petitioner shall comply with the other terms and conditions as per the lease agreement for the lease year 2021-22. The respondents are directed not to proceed further pursuant to tender notification dated 18.07.2021 till 30.06.2022. However, it is made clear that if the petitioner fails to comply with the above said order, the respondents are at liberty to take action in accordance with law.

7. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

8. Miscellaneous petitions pending, if any, shall stand closed in the light of this final order.