

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

**PRESENT
THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY
WRIT PETITION NO: 18346 OF 2022**

Between:

S.Vishnavi, W/o. Vishnu Charan, aged about 45 years, Occ. Proprietrix of Tirumala Enterprises, H.No.3-6-369/8/1, Street No.2, Himayathnagar, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Endowments Department, Secretariat Building, Secretariat, Hyderabad, Rep. by its Principal Secretary.
2. The Commissioner, Endowments Department, Tilak Road, Hyderabad.
3. Sri Lakshmi Narasimha Swamy Vari Devasthanam, Yadagirigutta, Rep. by its Executive Officer.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the Notice Inviting the Tender by the 3rd respondent for lease and license for annual maintenance of Kalyanamandapam at Bharkatpura, Hyderabad, is illegal, arbitrary, unconstitutional and in violation of Articles 14 and 19 (1) (g) of the Constitution of India and also contrary to the Orders passed by this Hon'ble Court in W.P.No.15923 of 2021, dated 14.7.2021 and set aside the same, consequently direct the 3rd respondent to hand over the possession of the Kalyanamandapam to the petitioner as directed by this Honble Court in W.P.No.15923 of 2021 dated 14.7.2021.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings pursuant to the Notice Inviting the Tender by the 3rd respondent for lease and license for annual maintenance of Kalyanamandapam at Bharkatpura, Hyderabad pending disposal of the writ petition.

Counsel for the Petitioner: SRI. V V N NARAYANA RAO

Counsel for the Respondent Nos. 1 & 2: GP FOR ENDOWMENTS

**Counsel for the Respondent No. 3: SRI. JAGAN MOHAN REDDY KOTHA (SC
FOR LNSV DEVASTHANAM)**

The Court made the following: ORDER.

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.18346 of 2022

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Endowments appearing for respondent Nos.1 and 2, and Sri K. Jagan Mohan Reddy, the learned Standing Counsel appearing for respondent No.3 - Sri Lakshmi Narasimha Swamy Vari Devasthanam, Yadagirigutta. With their consent, the Writ Petition is disposed of at the stage of admission itself.

Challenging the Notice Inviting Tender issued by the respondent No.3 - Temple for Lease and Licence for Annual Maintenance of Kalyanamandapam at Barkathpura, Hyderabad, the petitioner has filed the present writ petition.

The learned counsel for the petitioner has stated that on an earlier occasion, the petitioner has approached this Court and filed W.P.No.15923 of 2021 and this Court has disposed of the said Writ Petition *vide* order dated 14.07.2021 directing the respondents to permit the petitioner to continue the lease period for a period of one year by granting fresh lease in her favour. The learned counsel has further stated that if one year extension is taken from the date of passing of the order i.e., 14.07.2021, the official

respondents are obligated to permit the petitioner to continue to maintain the Kalyanamandapam of the respondent No.3 Temple till July, 2022. But, without considering the same, the respondent No.3-Temple has issued the impugned tender notice inviting bids for maintenance of the very same Kalyanamandapam, and therefore, prayed to set aside the impugned tender notice.

Per contra, Sri K. Jagan Mohan Reddy, the learned Standing Counsel, has vehemently opposed the very maintainability of the writ petition, and has stated that originally, the lease period granted in favour of the petitioner was from September, 2019 till the end of September, 2020. But, subsequently, by virtue of the order dated 14.07.2021, passed by this Court in W.P.No.15923 of 2021, the lease period was extended till September, 2021. The learned Standing Counsel has drawn the attention of this Court to the order dated 14.07.2021 passed by this Court in W.P.No.15923 of 2021, wherein this Court has directed the petitioner to clear the arrears of lease amount within one month from the date of passing of the said order, and on such clearance, the respondent No.3 - Temple was directed to permit the petitioner to continue the lease period for the Year 2021 without any enhancement of the lease amount. The learned Standing Counsel has further stated that the petitioner is not agreeable to the conditions and that she has to pay an amount of Rs.47,00,000/- towards arrears of rent.

Admittedly, the lease period of the petitioner ended in September, 2020. However, by virtue of the order dated 14.07.2021, passed by this Court in W.P.No.15923 of 2021, the lease period was extended by one year i.e., till the end of September, 2021. Once the lease period was ended, the petitioner has no vested right to continue to maintain the Kalyanamandapam beyond the lease period. If the petitioner has any interest in continuing lease period, she has to necessarily participate in the open tender called for by the respondent No.3. Therefore, this Court does not find any merit in the present writ petition warranting interference under Article 226 of Constitution of India.

The writ petition is, accordingly, dismissed. However, it is left open to the petitioner to participate in the impugned tender called for by the respondent No.3, if she is so advised.

At this stage, the learned counsel for the petitioner has stated that various articles belonging to the petitioner are still with the respondent No.3 - Temple, and that she will make a representation to the officials of the respondent No.3 - Temple and the officials of the respondent No.3 - Temple may be directed to handover the articles to the petitioner.

Having regard to the above made submission, the petitioner is directed to make a representation to the officials of the respondent No.3 - Temple within a period of two weeks from the date of receipt of a copy of this order. On such representation being made, the officials of the respondent No.3 - Temple shall consider the same on its own merits and pass necessary orders within a period of two weeks thereof.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

**SD/-K.SAILESHI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, State of Telangana, Secretariat Building, Secretariat, Hyderabad.
2. The Commissioner, Endowments Department, Tilak Road, Hyderabad.
3. The Executive Officer, Sri Lakshmi Narasimha Swamy Vari Devasthanam, Yadagirigutta.
4. One CC to SRI. V V N NARAYANA RAO, Advocate. [OPUC]
5. Two CCs to GP FOR ENDOWMENTS, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI. JAGAN MOHAN REDDY KOTHA, SC for LNSV Devasthanam. [OPUC]
7. Two CD Copies.
8. One Spare Copy.

CYS

BS

HIGH COURT

DATED: 12/04/2022



ORDER

WP.No.18346 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

10 vlv
19/7/22