APHC010495322026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[0]**
(Special Original Jurisdiction)

SATURDAY, THE 19th DAY OF SEPTEMBER 2026

PRESENT

WRIT PETITION NO: 27035/2026

Between:

1. GARRE BALAKRISHNA, S/O. VENKATESWARLU, AGE 59 YEARS, OCC BUSINESS R/O. 4-2/4-48, BANGARAIAH KOTTU SANDU, CHITTI NAGAR, VIJAYAWADA, NTR DISTRICT
2. KATARU SRINIVASA RAO,, S/O. NARASIMHA RAO AGE 40 YEARS, OCC BUSINESS, R/O. 10-7-7, BRAHMIN STREET, VIJAYAWADA, NTR DISTRICT

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE (ENDOWMENTS) DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT - 522237
2. THE COMMISSIONER, ENDOWMENTS DEPARTMENT, GOLLAPUDI, VIJAYAWADA, NTR DISTRICT 521225
3. THE DISTRICT ENDOWMENTS OFFICER, VIJAYAWADA, NTR DISTRICT
4. SRI VEERANJANEYA SWAMYVARI DEVASTHANAM, KOTHAPETA, VIJAYAWADA 1, NTR DISTRICT 520001 REP BY ITS EXECUTIVE OFFICER

...RESPONDENT(S):

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 or direction, more particularly one in the nature of Writ of Mandamus declaring action of the respondents in proposing to evict the

petitioners from shop Nos. 4 and 5 situated at Anjaneyavagu center, Kothapeta, Vijayawada NTR District belonging to 4th respondent Temple pending representation dated 25.11.2025 for extension of lease before the 2nd respondent as bad, illegal, arbitrary, without Jurisdiction, violative of Principles of Natural Justice and violative of Articles 14 and 19 (1)(g) of Constitution of India and consequently direct the respondents not to evict the petitioners from the Shop Nos. 4 and 5 situated at Anjaneyavagu center, Kothapeta, Vijayawada NTR District and to extend the lease for a further period of 3 years

IA NO: 1 OF 2026

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 direct the respondents not to evict the petitioners from shop Nos. 4 & 5 situated at Anjaneyavagu center, Kothapeta, Vijayawada NTR District pending disposal of the representation dated 25.11.2025 before the 2 nd respondent for extension of lease

Counsel for the Petitioner(S):

1. D V SASIDHAR

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.27035 OF 2026

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

> *"…*to issue a writ or direction, more particularly one in the nature of Writ of Mandamus declaring action of the respondents in proposing to evict the petitioners from shop Nos.4 and 5 situated at Anjaneyavagu center, Kothapeta, Vijayawada NTR District, belonging to 4th respondent Temple pending representation dated 25.11.2025 for extension of lease before the 2nd respondent as bad, illegal, arbitrary, without jurisdiction, violative of Principles of Natural Justice and violative of Articles 14 and 19 (1)(g) of Constitution of India and consequently direct the respondents not to evict the petitioners from the Shop Nos.4 and 5 situated at Anjaneyavagu center, Kothapeta, Vijayawada NTR District and to extend the lease for a further period of 3 years and pass such other order or orders…."

2. Heard learned counsel for the petitioners and learned counsel for the respondents.

3. The petitioners had previously filed W.P.No.41759 of 2022 and 41755 of 2022, challenging the action of the Temple authorities in issuing notice in Rc.No.Nil/2022 dated 18.11.2022, directing the petitioners to vacate shop Nos.4 and 5 situated at Door No.4-1-10, Vaggu Centre, Vijayawada. However, *vide* order dated 08.09.2025, both the Writ Petitions were dismissed as infructuous on the ground that the lease period had expired by the date of disposal of the Writ Petitions.

4. Basing on the said order, the respondent authorities, *vide* proceedings dated 16.09.2026, directed the petitioners to vacate from shop Nos.4 and 5.

The said eviction proceedings dated 16.09.2026, were challenged before this Court, *inter alia*, on the ground that after lapse of one year, the respondent authorities have now come up with the present impugned proceedings dated 16.09.2026, seeking to evict the petitioners, without considering the representation submitted by the petitioners on 25.11.2025 for extension of lease for a period of three years. The respondent authorities are trying to allot the shops to some third parties without conducting any public auction.

5. In view of the same, without adverting into merits of the Writ Petition and with the consent of both the learned counsel, the present Writ Petition is disposed of at the admission stage, directing the 2nd respondent to examine the petitioners' representation dated 25.11.2025 and pass appropriate orders, in accordance with law, and communicate the decision to the petitioners within a period of two weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed not to take any coercive steps in respect of the subject property of the Writ Petition. If the respondents are not intended to extend the lease in favour of the petitioners, it is directed to conduct public auction for allotment of the shops. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 19.09.2026

KBN

85

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.27035 of 2026

Date: 19.09.2026

KBN