

**IN THE HIGH COURT OF JUDICATURE AT
HYDERABAD FOR THE STATE OF TELANGANA AND
THE STATE OF ANDHRA PRADESH**

**MONDAY, THE TWENTY FOURTH DAY OF AUGUST TWO
THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

-
WRIT PETITION No.26921 of 2015

Between:

Karanam Sambasiva Rao.

.. Petitioner

AND

The State of Andhra Pradesh represented by its Principal
Secretary, Revenue (Endowment) Department, Secretariat,
Hyderabad and others.

.. Respondents

The Court made the following:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.26921 of 2015

ORDER

Heard learned counsel for the petitioner, learned Government Pleader for Endowments for respondents 1 to 4 and learned Standing Counsel for respondent No.5 and at their request, the writ petition itself is taken up for disposal.

2. Petitioner was appointed as Member of the Trust Board of Sri Malleswara Swamy Devasthanam, Peddakakani Village and Mandal. He assumed charge of his office by making on oath on 23.08.2013. According to Section 17(2) of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, the Member of a Trust Board is entitled to hold the office for a period of two years from the date of taking oath and that the petitioner was entitled to be in the office till 22.08.2015. Due to some intervening grievance, the term of the petitioner was sought to be curtailed and ultimately, on account of the orders passed by this Court in W.P.No.7333 of 2015, dated 20.03.2015, the petitioner was allowed to continue as Member of the Trust Board. In fact, the petitioner has been working as Chairman with effect from 18.03.2014. Petitioner seeks further continuation as Member of the Trust Board and consequently as Chairman till 22.08.2016 on the ground that in between there was a break of 8 months and

therefore, this 8 months period to be compensated by continuing the petitioner till 22.08.2016.

3. Learned counsel for the petitioner submits that on account of the earlier decision reducing the term, the petitioner's tenure was terminated. Aggrieved thereby, petitioner instituted W.P.No.7333 of 2015 wherein this Court granted interim order on 20.03.2015. The same was also not implemented compelling him to file contempt case. Only thereafter, it was implemented. In the process, there was a break of 8 months 20 days. Petitioner's term of appointment is two years and therefore he is entitled to complete two years. Learned counsel for the petitioner, therefore, submits that because of the fault of the respondent authorities only, this break has come up and therefore, the petitioner is entitled to be continued as Chairman and Member of the Trust Board till he completes the term of two years. Learned counsel for the petitioner further submits that having regard to the said claim, the petitioner submitted a representation on 10.07.2015, but so far no orders are passed in the said representation. Learned counsel also submits that the petitioner apprehends that the respondent authorities are taking steps to constitute a new Board and in such a case, great prejudice would be caused to him.

4. In view of the fact that the representation submitted by the petitioner for extension of his term till 22.08.2016 is pending, the Writ Petition is disposed of without expressing any opinion directing the first respondent to consider the representation of the petitioner

dated 10.07.2015 and pass appropriate orders in accordance with law as expeditiously as possible, preferably within two weeks from the date of receipt of copy of this order. If the petitioner is

aggrieved by any such order, it is open to him to work out his remedies as available under law.

5. The Writ Petition is, accordingly, disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

24th August, 2015
sj