

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.13892 of 2015

Date:01.05.2015

Between:

L.Shankar, S/o.L.Babu Rao,
R/o.H.No.7-2-679/2, Burgu Setti Bazar,
Secunderabad and four others

.... Petitioners

AND

The State of Telangana, represented by its
Principal Secretary, Endowments Department,
Secretariat, Hyderabad and 3 others

.... Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.13892 of 2015

ORDER:

The case of the petitioners is that they are the tenants of Sri Lakshminarayana Temple premises, Monda Market, Secunderabad since many years and have been paying rents regularly. The petitioners and their families are residing in the said premises since many years and the premises is very

safe and strong to reside and the third respondent gave a report that the premises is strong and that there is no threat of collapse of the building. But, the 2nd respondent issued notice dated 18.04.2015 directing the petitioners to vacate, failing which, the petitioners will be evicted summarily. The said notice is under challenge stating that the same is contrary to Act and highly illegal and arbitrary. Petitioners immediately submitted a reply on 24.04.2015, but without considering the same, the 2nd respondent is sending people to evict the petitioners.

Further, the second respondent issued the impugned notice under political pressure only with an intention to evict the petitioners. It is submitted that the children of the petitioners are studying and the petitioners are living with their parents and other family members in the said premises. This being summer season, the action of the 2nd respondent in issuing notice to evict the petitioners is illegal and arbitrary. In view of the same, the present writ petition is filed.

Heard the learned counsel for the petitioners and the learned Government Pleader for Endowments appearing for respondents 1 and 2.

Learned counsel for the petitioners submits that all the petitioners are poor persons and there is no other alternative accommodation to them to reside and if they are evicted forcibly, they will suffer irreparable loss. On the other hand, learned Government Pleader for Endowments states that notices were issued to the petitioners to vacate the premises occupied by them as the property is in dilapidated condition.

Since petitioners have already submitted a reply dated 24.04.2015 in pursuance to the notice dated 18.04.2015, it is for the fourth respondent temple to take a decision whether the petitioners can be allowed to continue in the said premises for some more time or not depending upon the condition of the premises. As such, fourth respondent has to take a decision on the representation of the petitioners and pass orders in accordance with law within a period of four weeks from the date of receipt of copy of this order. Till then, petitioners shall be continued on the condition of paying arrears of rent and also

continue to pay future rents. If the fourth respondent feels that the petitioners cannot be continued in the premises, which is in dilapidated condition, it is for the fourth respondent to take such a decision and this Court cannot express any opinion on the merits of the case. However, the petitioners shall be continued at least for a period of another four weeks from today and thereafter it is for the respondents to decide.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A. RAJASHEKER REDDY, J

Date:01.05.2015

Rns

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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