

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.8815 of 2012

ORDER:

This writ petition is filed seeking the following reliefs:

'To issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in allowing the 4th respondent and his son in ensuing Gajavahanotsavam which is scheduled to be taken place on 14.02.2012 of Sri Chennakesava Swami Temple is highly illegal, arbitrary, against all cannons of fair play and contrary to the custom and traditions being associated with the temple and also against the spirit of the order of the Hon'ble High Court orders and consequently direct the respondents not to allow the 4th respondent and his son to perform Gajavahanotsavam of Sri Chennakesava Swami Temple, Markapuram, Prakasam Dstrict, which is scheduled to be taken place on 14.04.2012.'

{Reproduced verbatim}

When the matter, which is listed under the caption 'for orders', is taken up for hearing, there is no representation for both the sides. I have perused the material record.

This Court had passed interim orders on 29.03.2012 after taking note of the order passed in WP.No.7011 of 2008 by this Court wherein and whereby an interim arrangement was made during the pendency of the writ petition permitting both the writ petitioner in WP.No.7011 of 2008, who is the 4th respondent herein and the 4th respondent therein, who is the present petitioner herein to perform the Gajavahanotsavam Ubayam in the temple during the Brahmotsavam festival. However, in the said orders passed in the writ petition there was no clear authorisation for someone else to participate in the Gajavahanotsavam Ubayam either on behalf of the petitioner herein or on behalf of the 4th respondent. Therefore, further orders were passed by this Court on 29.03.2012 in regard to performance of the Gajavahanotsavam Ubayam in the temple during Brahmotsavam which was slated to be held on

14.04.2012 at 05:00 PM.

In view of the relief claimed in the writ petition and the subsequent orders of this Court, this Court is of the considered view that the cause in the writ petition does not survive for adjudication and therefore, the writ petition is liable to be dismissed as infructuous.

Accordingly, the Writ Petition is dismissed as infructuous. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE M. SEETHARAMA MURTI

02nd November, 2015
Vjl