

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10857 OF 2015

ORDER:

This writ petition is filed seeking *Writ of Mandamus* declaring the action of the 1st respondent in issuing the impugned notice vide Rc.No.C2/7605/2014, dated 26.03.2015, as illegal, arbitrary and contrary to the provisions of Endowments Act.

The case of the petitioner is that he is the lessee of the 1st respondent temple and has been paying the rents regularly. While so, the 1st respondent issued proceedings dated 26.03.2015 asking the petitioner to vacate the premises within 7 days consequent to the notice, though his lease period is valid and existing till 31.12.2015. It is also stated that the respondents are trying to evict the petitioner without following due procedure envisaged under Section 83 of Andhra Pradesh Hindu Religious Institutions and Endowments Act, 1987 (for short 'the Act'). Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that in similar circumstances this Court disposed of W.P.No.9000 of 2015 vide order dated 08.04.2015 directing the respondents not to evict the petitioner without following due procedure envisaged under Section 83 of the Act.

Sri A.Srikanth Reddy, learned Standing counsel for the 1st respondent submits that the petitioner was issued only notice and that they would not evict the petitioner without following due process of law.

In view of the stand taken by the learned Standing counsel for the 1st respondent and in terms of the orders passed in W.P.No.9000 of 2015, the impugned order passed by the 1st respondent on 26.03.2015 is set aside, directing the 1st respondent not to evict the petitioner without following due procedure envisaged under Section 83 of the Act.

Accordingly, the writ petition is allowed. There shall be no order as to

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

A.RAJASHEKER REDDY, J

16.04.2015

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