

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

**WEDNESDAY, THE FOURTEENTH DAY OF OCTOBER TWO THOUSAND
AND FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.34297 of 2015

Between:

Vasamsetti Venkatasetti,
S/o.Meera Saheb, 54 years,
R/o. Kamujuvarilanka Village,
Ambajipeta Mandal,
East Godavari District & 5 others

.. Petitioners

AND

State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Endowments Department,
Secretariat Buildings, Hyderabad & 2 others
.. Respondents

The Court made the following:

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ORDER:

Notice, dated 29.09.2015, was served on the petitioners through learned Standing Counsel for the 3rd respondent temple. In the notice, it is claimed that the subject land belongs to the 3rd respondent temple and that the petitioners are in illegal and unauthorized occupation of the said properties and the petitioners were directed to deliver vacant possession by removing all illegal structures. In response to the said notice, the petitioners gave a reply notice, dated 08.10.2015. Apprehending that the 3rd respondent temple is taking coercive action against the petitioners without following the due process of law, this writ petition is filed.

2. The operative portion of the notice issued by the 3rd respondent temple clearly mentions, while directing the petitioners to vacate the premises within three days, the petitioners were also informed that if they would not vacate the premises, appropriate legal proceedings would be initiated. There is a clear

mention of taking action as per Section 85 of the Endowments Act. When the 3rd respondent temple has clearly indicated the course of action they intend to follow which they are mandated to follow, there is no cause for the petitioners to immediately rush before this Court alleging illegal action on the part of the respondents in throwing the petitioners out of the subject property. Thus, there is no merit in the writ petition. The writ petition is premature.

3. Accordingly, the Writ Petition is dismissed. It is always open to the petitioners to contest, if any coercive action is taken without following the due process of law. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 14th October, 2015

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Date: 14th October, 2015

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