

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.11144 of 2008

ORDER:

-

When the matter is listed on 17.11.2015, there was no representation on behalf of the petitioner, hence, the matter was directed to be listed on 18.11.2015. Even today, there is no representation on behalf of the petitioner.

2. Heard the learned Government Pleader for Revenue and perused the record.

3. The present writ petition came to be filed to declare the action of the respondent authorities in not taking any steps pursuant to representations, dated 16.01.2008 and 30.04.2008 to evict respondents 3 and 4 from a room belonging to the temple, as arbitrary and illegal and consequently, direct respondents 1 and 2 to forthwith evict respondents 3 and 4 from the room belonging to the temple.

4. The averments in the affidavit show that in order to develop the temple, the locality people of Bansilalpet, Secunderabad formed a committee in the name of Renuka Yellamma Devalaya Committee and got it registered vide Reg.No.104/2007. The said committee was looking after the entire developmental activities of the temple. In the temple premises, a small room was constructed for the use of Archaka and the same was under the custody of Archaka, who died about four to five years back. Since then the said room is being kept under the control of the committee of the temple. While things stood thus, respondents 3 and 4 are alleged to have broke open the lock of the room and illegally trespassed into the said room, despite objections being raised by the managing committee. Basing on which, the managing committee made representations before the respondent authorities with a request to take action for eviction of respondents 3 and 4. Their inaction led to filing of this Writ Petition.

5. On a perusal of the affidavit averments show that the dispute between the parties is purely civil in nature. The committee constituted for development of the temple

seeks eviction of respondents 3 and 4 from the room. But, respondents 1 and 2 have no role to evict respondents 3 and 4 from the room. Since the dispute is in respect the premises, which is purely private, appropriate remedy would be to approach Civil Court for eviction. In view of the above, I see no merit in the writ petition.

6. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

NOVEMBER 18, 2015

YVL