

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.13896 of 2004

ORDER:

Heard the learned Counsel for the petitioner. None appeared for the first respondent in spite of several adjournments. Nobody represented the second and third respondents also.

The case of the petitioner is that he is a Poojari of the first respondent temple. It is one of the temples falling under the Peapully Group of temples. The ancestors of the petitioner are the hereditary Archakas of the said temple. An extent of Acs.14.23 cents of land in Survey No.143 and Ac.0.37 cents of land in Survey No.132 situated at Kalachetla Village was granted to the families doing the service of Archakas. No salaries were fixed to the Archakas. The petitioner further states that, on the representation made by the Archakas during the meeting held on 21.10.2003, the Commissioner of Endowments issued Circular No.18 in Rc.No.N2/11429/2002, dated 24.10.2003, reiterating the instructions issued on 04.12.2001, and directed the Regional Joint Commissioner, Deputy Commissioner, Assistant Commissioner and Executive Authorities of the Institutions to scrupulously follow those instructions. One of the instructions is that the land in 6(c) temples in possession of the Archakas should not be disturbed. Though the said instructions were issued by the Commissioner, when the first respondent tried to auction the leasehold rights, the present Writ Petition was filed. No counter affidavit is filed by the respondents even after ten years.

In the circumstances, this Writ Petition is disposed of directing the respondents to follow the instructions of the third respondent in Rc.No.L2/63873/01, dated 04.12.2001, and reiterated in Circular No.18 in Rc.No.N2/11429/2002, dated 24.10.2003, provided they are not superseded by any latter circulars, so far as the land of the petitioner is

concerned. It is needless to mention that it is open to respondent Nos.2 and 3 to be guided by the policy of the Government from time to time in respect of the lands held by Archakas.

The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

23.03.2015

vs