

HONOURABLE SRI JUSTICE RAJA ELANGO

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WRIT PETITION NO:3362 OF 2007

ORDER:

1. This writ petition is filed seeking to declare the action of the 1st respondent in not taking appropriate action in pursuance of the report submitted by respondents 2 and 3 relating to the alienation of the temple land admeasuring Ac.1.63 cents in Sy.No.69/1 of Valluru Village, Ganapavaram Mandal, West Godavari District.

2. The petitioner is a cultivating tenant of the lands belonging to the 3rd respondent-temple. The petitioner made an application before the 2nd respondent to declare her as landless poor under Section 82 of the A.P. Charitable Hindu Religious Institutions and Endowments Act, 1987 and the 2nd respondent by proceedings dated 11.8.2004 declared that the petitioner is a landless poor. Pursuant to the said proceedings, the petitioner filed a representation before the Founder Trustee of the 3rd respondent-temple requesting him to permit her to purchase the land. As there was no response, the petitioner filed W.P.No.26811 of 2005. The said writ petition was disposed of directing the 3rd respondent herein to consider and dispose of the representation of the petitioner. Subsequently, the 3rd respondent forwarded the application to the 2nd respondent, who in turn had forwarded the same to the 1st respondent for necessary permission to alienate the land to the petitioner. But so far no orders have been passed.

3. Heard and perused the material available on record.

4. The learned Counsel for the petitioner submitted that the authorities concerned may be directed to dispose of the application of the petitioner basing on the recommendations made by the 2nd respondent-Assistant Commissioner of Endowments, Eluru.

5. Considering the facts and circumstances of the case and the submission of the learned Counsel for the petitioner, this Writ Petition is disposed of with the following direction:

“The 1st respondent is directed to consider the representation of the petitioner basing on the recommendations made by the 2nd respondent-Assistant Commissioner of Endowments, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

The petitioner is also directed to communicate this order along with a copy of her representation made earlier, and also the copy of recommendations made by the Assistant Commissioner, within a period of one week from the date of receipt of a copy of this order.”

No order as to costs. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

Justice Raja Elango

Date:19.3.2015

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