

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.37103 OF 2015

ORDER:

The complaint of the petitioners is that their land admeasuring Ac.0.50 cents in Survey No.244-1 of Eethakota Village, Ravulapalem Mandal, East Godavari District was wrongly notified in the prohibitory list by the temple and endowment authorities.

A counter affidavit is now being filed on behalf of the 7th respondent – temple. In paragraph 7 and 8, it is stated as follows:

“It is humbly submitted that the land claimed by the petitioners i.e. Ac.0.50 cents in Survey No.244/1 situated at Eethakota Village, Ravulapalem Mandal does not form part of the land belonging to the temple, hence, the temple has no claim over the land. It is humbly submitted that it is by mistake the land in Survey No.244/1 included in the revenue records as the same is evident from the Sub-Registrar's letter dated 29.07.2015 that the land to an extent of 0.80 ½ cents in Survey No.244/1 stands in the name of the 7th respondent temple. In fact the temple is not the owner of the land in Survey No.244/1.

It is humbly submitted that one Sri Kaki Suvarna Kumar and K.Chinni made representation claiming the land in Survey No.244/1 on 23.09.2015 and this respondent in Lr.No.NIL/2015, dated 23.09.2015 has sent a detailed report to the Assistant Commissioner, Endowments Department informing that the land in Survey No.244/1 do not belong to the 7th respondent temple, hence to issue no objection certificate on the said land as a non-endowment land and the same is pending with the Assistant Commissioner, Endowments Department.’

Learned Government Pleader for Endowments states that appropriate instructions are already issued to the 6th respondent and Commissioner of Endowments to communicate the clarification to the 5th respondent.

In view of the above, primary grievance of the petitioners having been considered by the 7th respondent and appropriate orders are likely to be passed by the 6th respondent as well as the Commissioner of Endowments, I deem it

appropriate to dispose of the writ petition directing the 6th respondent to immediately forward appropriate report to the Commissioner of Endowment to enable him to take action and sent necessary clarification to the 5th respondent.

With the above directions, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

01.12.2015

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DATE: 01.12.2015

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