

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.13668 of 2015

Date:01.05.2015

Between:

The Arya, Gowda, Ediga Association,
Plot No.8, Near Srisailam Devasthanam,
Srisailam, Kurnool District, Regn.No.114/1980,
Rep.by its General Secretary Sri P.Raghuveer Das

.... Petitioner

AND

Sri Bhramaramba Mallikarjuna Devasthanam,
Srisailam, Kurnool District,
Rep.by its Executive Officer and two others

.... Respondents

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ORDER:

The case of the petitioner is that the petitioner association was granted an extent of Ac.0.50 cents situated at Srisailam vide proceedings dated 22.03.2010 for construction of old age home and an agreement was also

entered into between the petitioner association and the first respondent on 22.03.2010 subject to the condition that the said old age home shall be completed within five years. However, the same has not been completed by the petitioner association due to some disturbances. On 13.03.2015 a notice was issued directing the petitioner association to complete the construction of old age home on or before 28.02.2015 as the lease period of five years granted to the petitioner's association will be expired by 21.03.2015 and also further directed to give explanation within seven days otherwise the temple with take over the site allotted to the petitioner. On 31.03.2015 the petitioner's association has submitted its explanation seeking for extension of another six months for completing the construction of old age home. But without considering their explanation, the impugned notice dated 19.04.2015 was issued. Aggrieved by the same, the present writ petition is filed.

Heard Sri M.Vidya Sagar, learned counsel for the petitioner, Sri A.Srikanth Reddy, learned counsel appearing for the first respondent and learned G.P.for Endowments, appearing for respondents 2 and 3.

In view of the facts and circumstances of the case, it is open for the petitioner to make a representation to the first respondent within seven days from today without waiting for orders from this Court and thereafter the first respondent has to take a decision on the representation of the petitioner, since the petitioner association is stating that they will complete the construction within six months and some construction was already made. Thereafter the first respondent shall consider the same and pass orders. Till then, there shall be stay of handing over the possession. But, however, if the petitioner association does not complete the construction within six months as stated above, it is open for the respondent authorities to take appropriate action in accordance with law.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A. RAJASHEKER REDDY, J

Date:01.05.2015

Rns

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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