

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36401 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the impugned order, dated 01.09.2016, passed in I.A.No.996 of 2015 in O.A.No.454 of 2015, on the file of the Endowments Tribunal, Hyderabad, as illegal and arbitrary, and consequently, to set aside the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the respondents 2 and 3 have filed I.A.No.996 of 2015 in O.A.No.454 of 2015 on the file of the Endowments Tribunal, Hyderabad, seeking a direction to the petitioner herein to pay an amount of Rs.15,000/- (Rupees fifteen thousand only) per month towards use and occupation of the Original Application Schedule Property, which belongs to the Endowments Department, but the Tribunal without appreciating the material on record, erroneously allowed the said interlocutory application directing the petitioner herein to deposit an amount of Rs.2,000/- (Rupees two thousand only) per month towards the use and occupation of the Original Application Schedule Property.

This Court is of the view that the writ petition, against the Order of the Endowments Tribunal, is not maintainable and as such, the writ petition is liable to be dismissed. However, the petitioner is at liberty to avail appropriate remedy before appropriate forum.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

10.11.2016
pln