

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.5731 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the action of the respondents 1 and 2 in not considering the recommendations of 3rd respondent and not according permission for appointing the petitioner as Supervisor in the time scale and 10 barbers in fixed salary as per the recommendations of 3rd respondent temple in Rc.No.A1/36/2013 dt.8-8-2013 as illegal and arbitrary and direct the respondents 1 and 2 to consider and accord permission to appoint the petitioner as Supervisor in the time scale and 10 barbers in fixed.”

Heard, Sri P. Gangarami Reddy, learned counsel for the petitioner, learned Government Pleader for Endowments for respondents 1 and 2 and Sri A. Srikanth Reddy, learned counsel for the 3rd respondent, apart from perusing the material available before this Court.

According to the petitioner, after the death of his father, the petitioner has been authorized by the respondents to do services at Kalyana Katta of 3rd respondent temple. The 3rd respondent – Assistant Commissioner and Executive Officer of Sri Penusila Lakshmi Narasimha Swamy Devasthanam, Penchalakona Kshetram, SPSR Nellore District vide proceedings Rc.No.A1/36/2013, dated 08-08-2013 addressed to the

Commissioner of Endowments – 2nd respondent, seeking permission to appoint the petitioner as Supervisor of Kalyana Katta. Thereupon the Commissioner of Endowments vide Rc.No.B3/25537/2013, dated 17-04-2014 directed the 3rd respondent to furnish certain information for taking further action in the matter. Subsequently, vide letter bearing Rc.No.A1/36/2013, dated 25-01-2015 the 3rd respondent appears to have sent the information sought by the 2nd respondent.

The grievance of the petitioner in the present writ petition is despite furnishing the information by the 3rd respondent as sought by the 2nd respondent vide letter, dated 17-04-2014, no action has been taken by the 2nd respondent.

Having regard to the nature of controversy and taking into consideration the facts and circumstances of the case and nature of relief sought for, this Court deems it appropriate to dispose of the writ petition, without expressing any opinion on the merits of the matter with a direction to the 2nd respondent to take appropriate action, as per law, pursuant to the letter addressed by the 3rd respondent vide Rc.No.A1/36/2013, dated 25-01-2015 by fixing some time frame.

For the aforesaid reasons, without expressing any opinion on the merits of the matter and entitlement of the petitioner, the writ petition is disposed of, directing the 2nd respondent – Commissioner of Endowments to pass appropriate orders pursuant to the letter Rc.No.A1/36/2013, dated 25-01-2015

addressed by the 3rd respondent, in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SESA SAI, J

February 23, 2016

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THE HON’BLE SRI JUSTICE A.V. SESA SAI

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