

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.27789 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the action of the second respondent in not taking action against the fourth and fifth respondents as illegal and arbitrary.

2. Heard the learned counsel for the petitioner, Sri A.Srikanth Reddy, learned Assistant Government Pleader for Endowments (Andhra Pradesh) representing the respondents 1 and 2 and the learned Standing Counsel for Endowments (Andhra Pradesh) representing the third respondent.

3. It is the case of the petitioner that the father of the petitioner was the tenant of the third respondent temple land to an extent of Ac.2.56 cents in Survey No.266/2 and 266/3 of Ravuripet village, Vetapalem Mandal, Prakasam District, during his lifetime. It is the further case of the petitioner that after the death of her father, the brother of the petitioner became tenant of the land in question. The contention of the learned counsel for the petitioner is that after the death of the petitioner's brother, respondents 4 and 5 are not allowing the petitioner to cultivate the lands in question. He further contended that the petitioner made a representation to the second respondent on 27.07.2016 and the same is pending.

4. At the time of arguments, the only relief sought by the learned counsel for the petitioner is to direct the second respondent to dispose of the representation of the petitioner dated 27.07.2016. Learned Government Pleader for Endowments and the learned standing counsel for Endowments also consented for

the same. In view of the submissions made by both the counsel, this Court is not inclined to express any opinion touching the merits of the main case.

5. The fact remains the petitioner submitted a representation to the second respondent to consider her case. For one reason or other, the second respondent has not disposed of her representation.

6. Having regard to the facts and circumstances of the case and also the submissions made by both counsel, the second respondent is hereby directed to consider and dispose of the representation of the petitioner dated 27.07.2016 in the light of the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the rules made there under.

7. Accordingly, this writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

August 19, 2016.

Rns