

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35793 of 2016

ORDER:

This writ petition is filed for a writ of *mandamus* to declare the impugned Notification in G.O.R.T.No.349, Revenue (Endowments-II), Department, dated 06.08.2016, of the 1st respondent Government in Form-I calling/inviting applications from the interested persons for constitution of Non-Hereditary Trust Board to the 4th respondent subject institution i.e., Sri Tulja Bhavan Dharmashala, Kachiguda, Hyderabad showing at Serial No.20 and consequential publication of notification in Form-I in Namasthe Telangana daily newspaper, dated 17.08.2016, by the Executive Officer, as arbitrary and illegal and consequently to set aside the same.

2. Heard and perused the material available on record.
3. The main grievance of the petitioner is that he has already submitted representation, dated 22.04.2016, to the 1st respondent seeking exemption from the operation of Sections 15 and 29 of Act 30 of 1987 being the Founder Family Member of the subject Temple and the same is pending before the 1st respondent and that the 1st respondent without considering the said representation, issued the impugned G.O.R.T.No.349, dated 06.08.2016 and consequential publication of notification in Form-I in Namasthe Telangana daily newspaper, dated 17.08.2016.
4. Learned Assistant Government Pleader for Endowments informed that the respondents will not proceed with the impugned Notification in G.O.R.T.No.349, dated 06.08.2016 and

consequential publication of notification in Form-I in Namasthe Telangana daily newspaper, dated 17.08.2016, prior to disposal of the representation submitted by the petitioner.

5. Recording the submission of the learned Assistant Government Pleader for Endowments, without going into the merits of the case, this Court is inclined to pass the following order:

6. The 1st respondent is directed to dispose of the representation, dated 22.04.2016, submitted by the petitioner, within a period of one month from today. Further, the respondents are directed not to proceed with G.O.R.T No.349, dated 06.08.2016, and also the consequential paper publication, dated 17.08.2016, for constitution of Non-Hereditary Trust Board to Sri Tulja Bhavan Dharmashala, Kachiguda, Hyderabad, without disposal of the representation of the petitioner.

7. With the above observation, the Writ Petition is disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

RAJA ELANGO, J

OCTOBER 24, 2016.
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Date: 24.10.2016

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