

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

WRIT PETITION No.10910 of 2016

ORDER:

This writ petition, filed under Article 226 of the Constitution of India, challenges the order of suspension, dated 18-09-2015 passed by the 4th respondent, keeping the petitioner under suspension on the ground of pendency of criminal case.

Heard, Sri Palle Nageswar Rao, learned counsel for the petitioner, learned Government Pleader for Endowments for respondents 1 to 3 and Sri Ch. Satish Kumar, learned counsel for the 4th respondent.

When the matter is taken up, a preliminary objection with regard to the maintainability of the writ petition is taken by the learned Government Pleader for Endowments stating that as against the impugned order there is an alternative remedy of revision under Section 92 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and without availing the said alternative remedy of revision the petitioner herein filed the present writ petition. It is further submitted that as against the orders impugned the petitioner herein submitted a representation to the Commissioner of Endowments on 10-03-2016 and having availed the said alternative remedy it is not open for the petitioner herein to maintain the present writ petition.

Learned counsel for the petitioner has requested this Court to issue necessary directions to the Commissioner of

Endowments to pass appropriate orders on the said representation, dated 10-03-2016 submitted by the petitioner herein, in accordance with law, by fixing some timeframe. The said request is not opposed by learned Government Pleader for respondents and submitted that the said representation would be considered, in accordance with law.

For the aforesaid reasons, the writ petition is disposed of, without expressing any opinion on the merits and demerits of the matter, directing the 2nd respondent – Commissioner of Endowments to consider and pass appropriate orders on the representation, dated 10-03-2016 said to have been submitted by the petitioner herein, in accordance with law, within a period of one month from the date of receipt of a copy of this order.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.V. SESA SAI, J

April 06, 2016
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THE HON'BLE SRI JUSTICE A.V. SESA SAI

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