

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND STATE OF ANDHRA PRADESH

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE

&

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

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WRIT PETITION No.24240 2016

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Dated: 22.07.2016

WRIT PETITION No.24240 2016:

BETWEEN

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G. Rajendranath Goud, S/o. Late Sri. Jagannath
Goud, Founder Family Member, Sree Venkateswara
Swamy Devasthanam, Chikkadpally, Hyderabad.

...PETITIONER

AND

Institution of Upa Lok Ayukta for the State of
Telangana and Andhra Pradesh, Rep. by its Registrar,
Basheerbagh, Hyderabad and others.

... RESPONDENTS

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE

&

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

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WRIT PETITION No.24240 of 2016

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PC: (Per Hon'ble the Acting Chief Justice Dilip B.Bhosale)

Heard Ms. P. Vijaya Lakshmi, learned counsel holding for
Smt. N. Shoba, advocate on record for petitioner and learned Government
Pleader for Endowments (TG) for respondents 2 and 3.

2. This writ petition challenges the order of Upa-Lokayukta dated
20.04.2016 based on a complaint filed by the fourth respondent.

The Upa-Lokayukta refused to entertain the complaint and while doing so, in the concluding paragraph observed thus:

“In the instant case, the specific prayer of the complainant is to remove the public servant from the Trust Board of the Temple. But, as per Section 28(10(d) of the act 30/87, the authority competent to appoint a trustee may suspend, remove or dismiss a trustee if he commits any malfeasance or misfeasance or is guilty of breach of trust or misappropriation in respect of the properties of the Institution or Endowments. The income of the subject matter temple is above (1) crore and hence, the Government is competent authority for constitution of Trust Board to the temple as per Section 15 of the Act 30/87. In the circumstances, the request of the complainant to remove the public servant from the Trust Board of the temple is not within the purview of this Institution. The Government being the competent authority viz. Principal Secretary to Government, Revenue (Endts.II) Department, Telangana State, Hyderabad, is requested to take appropriate action in the matter as per Section 15 of the Act 30/87.”

3. We are not inclined to interfere with this order. However, we observe that if the Principal Secretary to Government, Revenue (Endts.II) Department, initiates any action either against the petitioner or any other person, he shall follow the due procedure and shall grant an opportunity of being heard before passing any final order.

With this observation, the writ petition is disposed of.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

DILIP B.BHOSALE, HACJ

A.V. SESA SAI, J

July 22, 2016
DSK