

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39178 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the respondents in issuing the notice in STRST/0103/2016-38, dated 09.09.2016, purportedly under amended Rule 15 of the G.O.Ms.No.426, dated 09.11.2015 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Immovable Properties and Other Right (other than Agricultural) Leases and Licenses Rules, 2003 calling upon the petitioner to vacate and handover possession of shop Nos.2 and 10 in ground floor of Ranga Sai Complex, A.C.Centre, Nellore, SPSR Nellore District, as illegal, arbitrary and without authority of law and consequently to direct the respondents to desist from taking any action against the petitioners in respect of the aforesaid property.

Heard and perused the material.

The grievance of the petitioner is that the third respondent after conclusively deciding that the occupation of the petitioner of the schedule mentioned property is illegal and not under authority, straight away directed eviction without affording opportunity and the same is contrary to the order passed by this Court in W.P.No.15579 of 1989.

Considering the facts and circumstances of the case, the petitioner is given liberty to submit explanation within one week from the date of receipt of copy of this order to the respondents 2 and 3 and that the respondents 2 and 3 are directed to consider the explanation submitted by the petitioner and to pass orders in accordance with law, within three weeks thereafter. The parties are directed to maintain *status quo* obtaining as on today.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, shall also stand closed.

JUSTICE RAJA ELANGO

14.11.2016
pln