

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.21787 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India aggrieved over the orders of the 1st respondent dated 13.8.2015.

2. Heard and perused the material available on record.

3. From the order impugned, it is evident that one Ch. Narasimha Rao, Hereditary Trustee of Sri Lakshmi Narasimha Swamy Temple, Mattapally Village, Nalgonda District died and then, the Assistant Commissioner, Endowments Department, Nalgonda reported that out of three sons of Ch. Narasimha Rao, one son-Ch. Varaprasad submitted his no objection to declare his two brothers viz., the petitioner and the 4th respondent herein as Founder Family Members. Therefore, the 1st respondent declared the petitioner and the 4th respondent as Founder Family Members of the subject temple and fixed rotation between two brothers in the order that the petitioner shall act as Founder Trustee of the subject for a period of one year each. As per the said order, the petitioner has already been in charge for a period of one year and his period is also over.

4. The main contention of the learned Counsel for the petitioner is that as per the A.P. Charitable and Hindu Religious Institutions and Endowments Act, when an appointment is made, the tenure shall be for a period of two years, whereas it is the contention of the learned Counsel for the 4th respondent that as per Section 17 (2) of the amended Act viz., Telangana Charitable & Hindu Religious Institutions and Endowments Act, every trustee, appointed under Section 15 of the Act, shall hold the offence for a term of one year from the date of taking oath of the office.

5. In view of the amended provisions of the Act, this Court is of the view that there is nothing to interfere with the order under challenge.

6. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

RAJA ELANGO, J

Date: 24th October, 2016
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