

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.2239 of 2016

-
27.01.2016

Between:

Y.Brahmananda Reddy and others

.. Petitioners

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Endowments Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.V.R.Reddy Kovvuri

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Endowments (AP)

Counsel for respondent No.3: --

The Court made the following:

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ORDER:

The petitioners, who were appointed as the Members of the Trust Board of respondent No.3 and assumed charge on 04.02.2014, filed this writ petition feeling aggrieved by the action of respondent Nos.1 and 2 in not considering their representation, dated 16.01.2016, for continuing them as the Members of the Trust Board of respondent No.3 for the period between 10.08.2014 to 01.07.2015, during which, they were discontinued as the Trust Board Members on account of the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Act, 2014 (Act No.8 of 2014) (for short 'the Act').

From the facts, which do not appear to be in dispute, it is evident that on account of the Act, which has terminated the tenure of all the Trust Boards of the religious institutions in the State, the petitioners ceased to be the Trust Board Members for the aforesaid period and the said Act itself was struck down by a Division Bench of this Court, by common judgment, dated 30.12.2014, in W.P.No.29189 of 2014 and batch. Therefore, this Court, *prima facie*, feels that the petitioners cannot be put to disadvantage of losing a substantial part of their tenure as the Trust Board Members on account of the action of the State, which is declared as illegal. However, I am not inclined to render a conclusive finding in this regard as the petitioners' representation, dated 16.01.2016, filed before respondent Nos.1 and 2 is stated to be pending.

It is, therefore, appropriate that respondent Nos.1 and 2 shall consider and dispose of the aforesaid representation of the petitioners for extension of their term as a compensatory measure equal to the period for which they were not permitted to act as the Trust Board Members. Till such disposal, the petitioners shall be continued as the Members of the Trust Board of respondent No.3.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.2824 of 2016 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

27th January, 2016
GHN