

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.3765 of 2006

ORDER:

The petitioners claim that they are the owners of agricultural land in an extent of Ac.5.25 gts. in Sy.No.235 (old 201) situated at Saheb Nagar Kalan Village, Hayathnagar Mandal, Ranga Reddy District. They also state that they are performing pujas in Trinetra Hanuman Mandir which was constructed by their fore-fathers. It is their further case that the Mandir land is Inam land given to Sri Dowlathram S/o.Basanthiram by the then Nizam Government; that after his death, succession was granted in favour of his two sons viz. Bheroolal and Munnalal; that Sri Bheroolal died, whereas Sri Munnalal succeeded to the property; that he became hereditary Archaka and owner of the temple; and, after his death, the petitioners claim that they succeeded to the said property and temple.

Now the present Writ Petition is filed seeking a direction to the first respondent not to interfere with the peaceful possession and enjoyment of the land belonging to Trinetra Hanuman Temple as they apprehend that the compound wall would be demolished by virtue of the letter dated 21.02.2006 issued by the Office of the Assistant Commissioner, Endowments Department, R.R. District,

Hyderabad directing the latter to remove the unauthorized construction.

This Court, by order dated 27.02.2006, directed the respondents to maintain status quo with regard to the compound wall pursuant to the letter of the Assistant Commissioner, Endowments Department, Ranga Reddy District.

Initially a counter affidavit was filed by the first respondent stating that inspection was conducted on 08.03.2014 and it was noticed that no demolition took place and hence no further action need be warranted. However, on the direction of this Court, the second respondent filed a counter affidavit stating that the claim of the petitioners that they are owners of the subject land along with temple is baseless. It was stated that the said land was an inam land meant for meeting expenditure towards Nitya Dhoopa Deepa Naivedyam to the deity Sri Trinetra Hanuman; that the petitioners are rendering archakatvam since their fore-fathers; that after abolition of Inams Act, no one can be registered as an occupant except the institution; that the Inams Tribunal –cum- Revenue Divisional Officer, Ranga Reddy District, issued proceedings dated 02.08.1987 holding that the petitioners are not entitled to any relief and the institution alone is entitled to be registered as occupant, and also issued another

proceedings dated 02.06.1998 directing that the petitioners are restrained from altering or changing the land. In those circumstances, when the petitioners were constructing compound wall separating temple, the second respondent issued a letter to the Municipal Authorities for demolishing the unauthorized structures. It is further stated that the land is an agricultural land and no agricultural activity is being conducted as on today.

Today when the matter is taken up for consideration, it is submitted by the learned Government Pleader appearing for the second respondent that an Executive Officer was appointed and he has been managing the affairs of the Temple and the land belongs to the Temple. Learned counsel for the petitioner submits that the dispute with regard to the entitlement of the petitioners over the land is pending before the revenue authorities.

In view of the appointment of the Executive Officer for managing the affairs of the Temple and the land, giving liberty to the Executive Officer to protect the same, the Writ Petition is disposed of.

Miscellaneous applications, if any, shall also stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:15.11.2016
 usd

