

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.4647 of 2016

Date:12.02.2016

Between:

M.Praveen Kumar,
S/o Kondaiah and three others.

..... Petitioners

And:

The State of A.P., repled by its
Principal Secretary, Revenue
(Endowments) Department,
Hyderabad and three others.

.....Respondents

Counsel for the Petitioners: Mr. N.Nanda Kishore

Counsel for Respondent Nos.1 to 3: AGP for Endowments
(AP)

The Court made the following:

ORDER:

The petitioners, who were appointed as the Members of the Trust Board of respondent No.4-temple and assumed charge on 19.02.2014, filed this Writ Petition feeling aggrieved by the action of respondent No.3 in not considering their representations, dated 20.01.2016 and 04.02.2016, for restoration of the

deprived tenure of the trust board 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 that 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 was declared as illegal. However, I am not inclined to render a conclusive finding in this regard as the petitioners' representations, dated 20.01.2016 and 04.02.2016, filed before respondent No.3 are stated to be pending.

It is, therefore, appropriate that respondent No.3 shall consider and dispose of the aforesaid representations 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 Members of the Trust Board. Till disposal of their representations, the petitioners shall be continued as the Members of the Trust Board of respondent No.4.

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

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.5942 of 2016 is dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*12th February, 2016
DR*