

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.25670 OF 2012

ORDER:

The case of the petitioner is that he was originally appointed as Junior Assistant in the year 1990 in Sri Sammakka Saralamma Temple, Joopaka Village in Karimnagar District on consolidated salary. Thereafter, he was transferred to Sri Visveswara Swamy Temple in Jammikunta in the year 1992 and again transferred to another temple in Jammikunta and he was continuously working in the institutions that are categorized as institutions under Section 6(a) and 6(b) of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987. In pursuance to the orders dated 01.07.2011, issued by the 2nd respondent, petitioner was deputed to 4th respondent –Sri Mallikarjuna Swamy Temple, Inavolu of Warangal District which is an institution under Section 6 A of the Act, by virtue of the orders of the Commissioner of Endowments dated 21.06.2011 as referred in the above proceedings dated 01.07.2011. While so, all of a sudden the 3rd respondent issued proceedings dated 26.05.2012 directing the petitioner to report before the Executive Officer, Sri Sammakka Saralamma Jathara, Karimnagar District.

According to the petitioner the power of transfer of office holders and servants of the Institution or Endowments lies

with the Commissioner under Section 39 (1)(2) of the Endowments Act, and as such, the impugned order is issued without jurisdiction and without obtaining any orders from the Commissioner of Endowments who is competent authority. He also submits that there are 20 institutions in Karimnagar District by name Sri Sammakka Saralamma Jathara and it is not specified in the impugned order as to which institution the petitioner was sent back. The petitioner also submitted a representation dated 20.06.2012 to the 3rd respondent for modification of the impugned order and a report was also called for from the Deputy Commissioner of Endowments, Warangal who in turn has submitted that the services of the petitioner can be utilized in Sri Someswara Laxmi Narasimha Swamy Temple, Palakurthy, Warangal District, but no orders are passed and the 4th respondent is purporting to relieve the petitioner from the temple as per the impugned proceedings. Aggrieved by the same present writ petition is filed.

Heard learned Government Pleader for Endowments and Sri K.Jaganmohan Reddy, learned Standing Counsel for Endowments.

It appears from the contentions of the petitioner that petitioner is seeking modification of the impugned orders on the ground that the name of the institution to which he was transferred is not specified in the impugned order and that

the representation made by the petitioner is pending before the 3rd respondent. Since already report is submitted by the Deputy Commissioner, it is for the 3rd respondent to consider the representation of the petitioner and pass orders in accordance with law, if not already passed.

In view of above facts and circumstances, R3 is directed to dispose of the representation filed by the petitioner, if not already disposed of. Till such time, the interim order granted by this Court on 17.08.2012 shall continue.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, in the writ petition, shall stand closed.



A.RAJASHEKER REDDY, J

29.12.2016
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