

THE HON'BLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION No.6892 OF 2016

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ORDER:

This Writ Petition, filed under Article 226 of the Constitution of India, challenges the proceedings Rc.No.C1/12866/2015, dated 22.01.2016, issued by the Commissioner of Endowments, Government of Andhra Pradesh, Hyderabad – 2nd respondent herein.

2. Heard Sri O.Manohar Reddy, learned counsel, appearing for the petitioner and learned Government Pleader for Endowments for respondents 1, 2 and 5 and Sri A.Srikanth Reddy, learned standing counsel for the 3rd respondent.

3. The petitioner herein earlier filed W.P.No.32017 of 2015 before this Court and this Court on 01.10.2015 passed the following order:

“There shall be interim direction to the 2nd respondent to consider the representation dated 04.05.2015, submitted by the petitioner after due notice to the 4th respondent within 8 weeks.”

4. Pursuant to the above said order passed by this Court, after issuing notices to the petitioner as well as the 4th respondent herein, the 2nd respondent – Commissioner passed the impugned order, rejecting the request of the petitioner and the said order is under challenge in the present writ petition.

5. When the matter is taken up, a preliminary objection with regard to maintainability of the present writ petition is taken by the learned Government Pleader as well as learned standing counsel for the 3rd respondent stating that as against the orders of the Commissioner, Section 93 of the Andhra Pradesh Charitable and Hindu

Religious Institutions & Endowments Act, 1987, prescribes alternative remedy of Revision to the State Government. It is further submitted that in view of the same, the present writ petition cannot be maintained before this Court under Article 226 of the Constitution of India.

6. In view of the above mentioned provision of law, which enables the petitioner to file Revision against the orders impugned, this Court is not inclined to entertain the present writ petition.

7. For the aforesaid reasons, Writ Petition is dismissed, however, it is open for the petitioner herein to file Revision before the State Government under the provisions of Section 93 of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987; and if any revision is filed, the same be considered and appropriate orders be passed in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving notice and opportunity of being heard to all the stake holders.

8. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

03.03.2016

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