

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.46408 of 2016**

**ORDER:**

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking a direction to the respondents not to dispossess him from the subject land pending consideration of his representation for regularization of the sale of the lands on the recommendations of the 5<sup>th</sup> respondent as per the provisions of the A.P. Charitable and Hindu Religious Institutions and Endowments Act.

2. It is stated in the affidavit that the petitioner and his father were put in possession of the subject land by the trustee of the 6<sup>th</sup> respondent-Choultry and since then, they have been doing business. Subsequently, the trustee of the 6<sup>th</sup> respondent sold the said land to the petitioner for valuable consideration under a regular sale deed. When the petitioner intended to raise constructions over the schedule property, the Executive Officer of the 6<sup>th</sup> respondent objected on the ground that the said property belonged to the 6<sup>th</sup> respondent-Choultry. On that the petitioner and others, who purchased the property from the trustee of the 6<sup>th</sup> respondent, made representations to the Endowment authorities, seeking to confirm/regularize the sale of the respective properties on payment of market value fixed by the Endowment. The 5<sup>th</sup> respondent-Assistant Commissioner vide proceedings dated 4.9.2012 recommended for ratification. Meanwhile, the Executive Officer of the 6<sup>th</sup> respondent initiated eviction proceedings against the petitioner. Aggrieved by the same, this Writ Present petition is filed by the petitioner.

3. After arguing for some time, the learned Counsel for the petitioner confined his arguments only in connection with the disposal of the

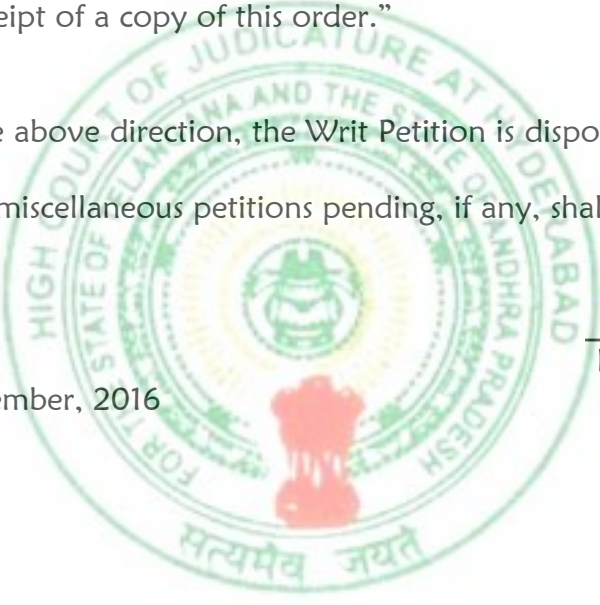
representation of the petitioner dated 26.7.2011 on the basis of the recommendations made by the 5<sup>th</sup> respondent-Assistant Commissioner, dated 4.9.2012.

4. Considering the submissions made by the learned Counsel for the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

“Respondents Nos.1 and 2 are directed to consider the representation of the petitioner dated 26.7.2011 and pass appropriate orders, within a period of two (2) months from the date of receipt of a copy of this order.”

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Date: 30<sup>th</sup> December, 2016  
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The seal of the High Court of Judicature at Hyderabad, State of Andhra Pradesh, is a circular emblem. It features a central sun-like symbol with rays, surrounded by a green border containing the text 'HIGH COURT OF JUDICATURE AT HYDERABAD' and 'STATE OF ANDHRA PRADESH'. Below the central symbol is a red lotus flower. At the bottom of the seal, the Sanskrit motto 'सत्यमेव जयते' (Satyameva Jayate) is inscribed in Devanagari script.

RAJA ELANGO, J

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Date: 30<sup>th</sup> December, 2016

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