

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 6897 of 2016

ORDER:-

The petitioner, who was appointed as a Member of the Trust Board of respondent No.3 and assumed charge on 19.09.2013, filed this writ petition feeling aggrieved by the action of respondent Nos.1 and 2 in not considering his representation, dated 02.01.2016, for continuing him as a Member of the Trust Board of respondent No.3 for the period between 09.08.2014 to 18.09.2015, during which, he was discontinued as the Trust Board Member 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 petitioner ceased to be the Trust Board Member for the aforesaid period and 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 petitioner cannot be put to disadvantage of losing a substantial part of his tenure as the Trust Board Member on account of the action of the State, which is declared as illegal. However, I am not inclined to render a conclusive finding in this regard as the petitioner's representation, dated

02.01.2016, filed before respondent Nos.1 and 2
is stated to be pending.

It is, therefore, appropriate that respondent Nos.1 and 2 shall consider and dispose of the aforesaid representation of the petitioner for extension of his term as a compensatory measure equal to the period for which he was not permitted to act as the Trust Board Member. Till such disposal, the petitioner shall be continued as the Member of the Trust Board of respondent No.3.

Subject to the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel to disposal of the writ petition, miscellaneous petitions if any pending in the writ petition shall stand dismissed.

CHALLA KODANDA RAM,

J

3rd March, 2016
cbs

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