

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.14573 of 2016

ORDER:

This writ petition is filed for a *mandamus* declaring the action of the respondents in not taking steps for selling the lands admeasuring Ac.0.22 guntas in Sy.No.543 and Ac.5.20 guntas in Sy.No.544 situated at Yelikatta Village, Farroqnagar Mandal, Mahabubnagar District, belonging to Sri Anjaneyaswamy Temple, as illegal and arbitrary.

The case of the petitioner is that he is 75 years old and he is hereditary archaka in the subject temple. It is the specific case of the petitioner that the subject land, which is adjacent to the various industries, is no longer useful for agriculture and he has been looking after the land all through as on date. The petitioner states that some antisocial elements are trying to encroach the land and if they succeed in their attempt, it would be difficult to get them evicted. Therefore, the petitioner seeks a direction to the respondents to sell the land and deposit the money so as to utilize the money as a corpus for the affairs of the temple.

Sri Ch.Satish Kumar, learned Government Pleader for Endowments, submits that in view of the blanket stay granted by Division Bench of this Court in similar W.P.No.11812 of 20015 dated 07.06.2005, no sales of endowments land shall be effected without permission of

the Court.

In that view of the matter, the 2nd respondent shall consider the peculiar facts of the case and if he finds that the allegation made by the petitioner that the land is likely to be encroached and same is not fit for agricultural purpose, he shall take necessary steps to approach the Court by making an application in W.P.No.11812 of 2005 and seek appropriate direction of this Court to sell the temple lands, by following the procedure and the grievance of the petitioner would also get redressed apart from get protected of the property belonging to the temples. The process shall be completed by the 2nd respondent within a period of eight weeks from the date of receipt of copy of this order.

Subject to the above observations and directions, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

27th April 2016.

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