

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

W.A.M.P.Nos. 2394 AND 2395 OF 2017

IN/AND

W.A.No. 1310 OF 2017

DATED 11TH SEPTEMBER, 2017

Between:

Sri Yadavalli Vari Choultry,
Kothapet, Guntur City,
Guntur District,
Rep. by its Executive Officer

... Appellant

AND

M.V.Ravi Kumar and others

... Respondents

Counsel for the appellant

: Smt. K.Lalitha

Counsel for respondent No. 1

: Sri K.Ananda Rao

Counsel for respondent Nos. 2 to 8

: --

THE COURT MADE THE FOLLOWING

COMMON JUDGMENT: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

A third party by name Sri Yadavalli Vari Choultry filed this Writ Appeal and the interlocutory applications aggrieved by the order of a learned single judge, whereby he has held that Charge Memo dated 27-11-2015 issued by respondent No. 7 is deemed to have lapsed consequent on the removal of respondent No. 1 from service on 16-04-2016.

2. Sri K.Ananda Rao, learned counsel for respondent No. 1, raised an objection as to the maintainability of the Writ Appeal through Smt. T.Subhadra by stating that as far back as 31-03-2017, the State Government issued G.O.Ms.No. 139 handing over the administration of the appellant Choultry to the Andhra Pradesh Brahmin Welfare Corporation Limited for being run pursuant to the objectives of the creator. In support of this submission, he has placed before us G.O.Ms.No. 139 Revenue (Endts.II) Department dated 31-03-2017. Learned counsel, representing Smt. K.Lalitha, learned counsel for the appellant, has not disputed this position. In view of the same, the appellant institution cannot be represented by Smt. T.Subhadra. Further, it is highly doubtful whether the Endowments Department can proceed against respondent No. 1 further with the change of management.

3. In the light of the above, the Writ Appeal is dismissed without going into the merits of the case, however, with liberty to the appellant to avail appropriate legal remedies available to it in law.

4. As a sequel to dismissal of the Writ Appeal, W.A.M.P.No. 2393 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

M.S.K.JAISWAL, J.

Date: 11-09-2017.

JSK

