

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

WRIT PETITION No.29129 of 2017

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Endowments (A.P) for respondents.

2. It is stated in the affidavit filed in support of the writ petition that the petitioner – Temple was constructed about 500 years back by one saint Sri Madvacharya Guru Ragavendra Swamy and, subsequently in the year 1922, Sri Raja Velugoti Govinda Krishna Yachendravaruru had donated an extent of land admeasuring Ac.39-41 cents in the names of three temples jointly including the petitioner – Temple for their maintenance by way of a registered gift deed dated 26.09.1921 vide document No.50/1922 and the same was also recorded in the register maintained under Section 38 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short, the Act). It is further submitted that from the year 1937, the petitioner – Temple came to the management of the deponent's grandfather Raghavaiah Naidu and his brothers and now the deponent (Founder Trustee of the petitioner – Temple) is managing the affairs of the Temple.

3. It is further stated that presently the petitioner – Temple is not in a position to maintain itself by conducting festivals and paying salaries to the employees, even though it is having share in the above lands. While so, the first respondent issued G.O.Ms.No.502, dated 20.12.2016, according permission to take over the other two Temples viz., Sri Kariya Manikyaswamy and Sri Neelakanteswara Temples while excluding the petitioner – Temple. It is also stated that a representation was addressed to the respondents to include the

petitioner – Temple, so that it would come into the folds of Tirumala Tirupathi Devasthanam. The Assistant Commissioner of Endowments, Nellore, third respondent herein, vide letter bearing No.A2/5221/2016, dated 20.06.2017, requested the second respondent to submit a report to the State Government for issuance of modification orders to the TTD authorities to take over the petitioner – Temple also. In the above background, challenging the inaction on the part of respondent Nos.1 and 2 in acting upon the said report submitted by the third respondent, the present writ petition is filed.

4. There is absolutely no dispute in the reality that the State Government issued G.O.Ms.No.502, Revenue (Endowments.III) Department, dated 20.12.2016, according permission to the Executive Officer, TTD, Tirupati to take over Sri Kariya Manikyaswamy and Sri Neelakanteswara Temples, Thummur, Naidupeta Mandal, Nellore District along with staff, movables and immovable properties into the fold of TTD as resolved by the TTD Board Resolution No.196, dated 07.12.2015. The third respondent also requested the second respondent to submit a report to the Government for issuance of modification orders to the TTD authorities to take over the petitioner – Temple also.

5. In the facts and circumstances of this case and taking into consideration the submissions of the learned counsel for the petitioner and learned Government Pleader, this Court deems it appropriate to dispose of the writ petition, directing respondent Nos.1 and 2 to take appropriate action, pursuant to the letter bearing No.A2/5221/2016, dated 20.06.2017 of the third respondent, and

pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

A.V. SESA SAI, J

Date: 30.08.2017
TJMR

