

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

W.P.No.26143 of 2010

ORDER

This writ petition is filed with the following prayer:

“to issue a writ, order or direction, more particularly a writ in the nature of writ of mandamus declaring the action of respondents 1 to 3 in interfering with the petitioners’ land in Sy.No.523/1, admeasuring an extent of Ac.1.00 and an extent of Ac.1.40 cents in Sy.No.523/3 situated at Kakuturivari Palem Village, Hamlet of Tangutur Mandal, Prakasam District, as bad, illegal, arbitrary, oppose to law, one without jurisdiction and pass such other order or orders”.

2. The petitioners were granted pattadar passbooks and title deeds in respect of land to an extent of Ac.4.50 cents in Sy.No.523 situated at Kakuturivari Palem, Tangutur Mandal of Prakasam District, and they are in peaceful possession and enjoyment of the said property since 1983. While so, the 2nd respondent-Deputy Commissioner of Endowments vide proceedings dated 12.10.2012 appointed the 1st respondent as Single Trustee to the subject temple for a period of two years. It is stated that in pursuance of the said proceedings, the 1st respondent is trying to evict the petitioners from their peaceful possession over the land in question illegally without taking recourse to any legal process. It is further stated that even though the land in question was sanctioned to petitioners by the competent authority, the respondents are trying to dispossess them.

3. Heard learned counsel for petitioners, learned counsel for respondent No.1 and learned Government Pleader for Endowments for respondent Nos.2 and 3.

4. The 1st respondent was appointed as Single Trustee to the subject temple for a period of two years by proceedings dated 12.10.2010. The said period expired in 2012 itself. In that view of the matter, I deem it appropriate to dispose of the writ petition directing the respondents not to interfere with the possession of petitioners over the land in question without following due process of law.

5. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

13th October, 2017
sj



M.S.K.JAISWAL,J