

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.16244 of 2007

ORDER:

Heard Sri K.Durga Prasad, learned counsel for the petitioner, learned Government Pleader for Endowments appearing for respondent Nos.1 and 2 and Sri M.Vidya Sagar, learned counsel for respondent No.4.

The Writ Petition is filed seeking quashing of the Memo No.34677/Endts.II(1)/2007-1, dated 05.07.2007, issued by respondent No.1.

Facts, in brief, are as follows:

The petitioner claims to be the member of founder family of Sri Raghunathji Temple, Maharajgunj, Hyderabad. Respondent No.2 is said to have issued order dated 22.04.1998, recognising the petitioner as a member of founder family of Sri Raghunathji Temple. A notification dated 06.10.2003 was issued by the Assistant Commissioner, Endowments, Hyderabad, inviting applications for appointment of trust board to Sri Pandarinathji and Raghunathji Temples, Maharajgunj, Hyderabad. The petitioner herein challenged the notification dated 06.10.2003, in revision petition No.202 of 2003, before the Regional Joint Commissioner, Endowments Department, M.Z.III, Hyderabad (respondent No.2) who, by his order dated 25.05.2005, allowed the revision setting aside the notification dated 06.10.2003 and directed the Assistant Commissioner,

Endowments Department, Hyderabad, to publish the institutions under the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short 'the Act'). In pursuance thereof, the Commissioner, Endowments Department, Hyderabad, by proceedings dated 08.05.2007, reclassified two temples and published the same under Section 6(c)(ii) of the Act. The order of respondent No.2, dated 25.05.2005, is challenged before the Government. By the impugned memo dated 05.07.2007, respondent No.1 stayed the order dated 25.05.2005 passed by respondent No.2. Hence the Writ Petition.

On 31.07.2017, this Court, while admitting the writ petition, stayed the memo dated 05.07.2007 issued by respondent No.1.

At the time of hearing, though various contentions are raised, all the counsel agree that a direction be issued to the Government to dispose of the proceedings. Learned Government Pleader for Endowments would submit that, as the stay granted by this Court is still subsisting, the Government is unable to dispose of the proceedings pending consideration with them.

Having heard the counsel for the respective parties, and without going into the merits of the case, the Writ Petition is disposed of with a direction to respondent No.1 to dispose of the review petition filed by respondent No.3 pending, if any, in accordance with law, within a period of two months from the

date of receipt of a copy of this order. Needless to mention that notice be issued to all the parties and afford an opportunity of hearing before passing orders.

Miscellaneous Petition pending, if any, shall also stand closed. No order as to costs.

C.PRAVEEN KUMAR,J

Date:15.02.2017
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