

THE HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 18381 of 2006

ORDER:

The present Writ Petition came to be filed seeking issuance of writ of Mandamus declaring the action of respondent Nos.1 to 3 in appointing respondent No.4 a fit person/ manager for the petitioner-institution, as illegal and arbitrary.

2. The averments in the affidavit filed in support of the writ petition would show that the petitioner is a charitable institution established and registered under the Societies Registration Act, 1860. The main object of the institution is to feed the poor and needy travelers who halt in Guntur on their way to other places. The petitioner-society is managed by a committee of management constituted as per its memorandum and articles of association. It is stated that the petitioner was registered in 1972 as an endowment under Section 38 of the A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1966. While things stood thus, the first respondent vide proceedings dated 09.08.2005 placed Sri K.M.S Gupta, Secretary of the petitioner-society under suspension pending enquiry and appointed fourth respondent as Manager of Sri Yedavalli Vari Choultry, Kothapet, Guntur, as fit person to discharge the day to day functions of the petitioner-institution. Challenging the same, the present writ petition came to be filed.

3. At the time when the matter is taken up for hearing, learned counsel for the petitioner would submit that new members in the Society would be elected once in three years in the Annual General Body Meeting to be held at the time specified and the tenure of the fourth respondent would have completed by now.

4. Having regard to the above circumstances and in view of the interim orders passed by this Court on 04.09.2006, wherein interim suspension was granted, nothing survives for adjudication in the writ petition at this length of time.

5. Accordingly, the writ petition is closed. There shall be no order as to costs.

6. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order.

JUSTICE C. PRAVEEN KUMAR

25.01.2017
vnb

