

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.14787 of 2008

ORDER:

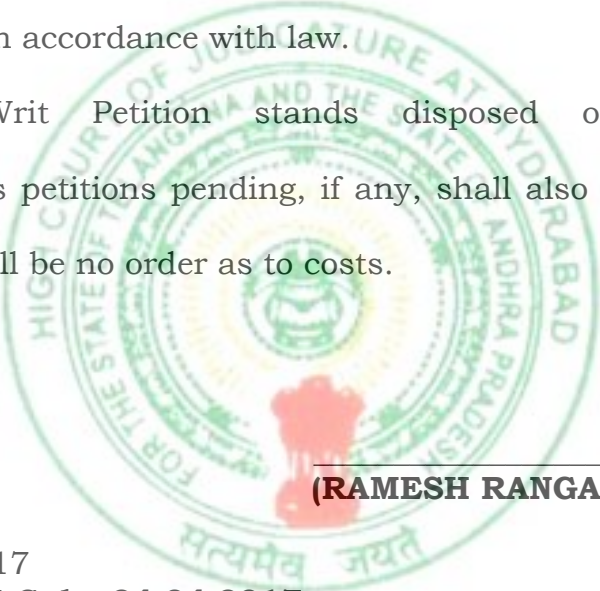
The petitioner herein questions the order of the Regional Joint Commissioner, Endowments Department in A.S.No.9 of 2005 dated 22.12.2007, confirming the order of the Assistant Commissioner, Endowments Department, Guntur dated 23.03.2005, as arbitrary, illegal and in violation of Section 82 of the A.P. Charitable and Hindu Religious Endowments Act, 1987. By the impugned order, the Regional Joint Commissioner rejected the petitioner's claim of being a landless poor person, and affirmed the order passed by the Assistant Commissioner in this regard.

Smt. Bobba Vijaya Lakshmi, learned counsel for the petitioner, would draw my attention to the additional counter-affidavit, filed by the Assistant Commissioner, Endowments Department dated 14.03.2017, wherein it is stated that, as per the amended rules framed under G.O.Ms.No.419 dated 09.11.2015, the Assistant Commissioner, Endowments Department has been conferred the power to enquire about the status of landless poor persons every three years. Learned counsel would submit that the petitioner may be permitted to approach the concerned authority, since the amended rules enable him to now approach the authorities to declare him a landless poor person; and it would suffice if this Court were to protect his interest till then, by directing the respondents not to dispossess him from the subject land for a period of eight weeks from today.

It is not in dispute that, pursuant to the interim order passed by this Court on 10.07.2008, the petitioner has been in

possession of the subject land ever since. We consider it appropriate, therefore, to dispose of the writ petition permitting the petitioner to make an application, under G.O.Ms.No.419 dated 09.11.2015, within two weeks from today, to the Assistant Commissioner of Endowments requesting him to declare him a landless poor person. For a period of four weeks from today, the interim order passed by this Court earlier shall continue to remain in force. Needless to state that, in case the petitioner fails to make an application within the aforesaid period of two weeks, it would be open to the respondents thereafter to proceed and take action against him in accordance with law.

The Writ Petition stands disposed of accordingly. Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.


(RAMESH RANGANATHAN, ACJ)

21st April, 2017

Note: Issue C.C. by 24.04.2017.

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Date: 21.04.2017

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