

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.27420 OF 2008

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“... to issue a writ, order or direction, especially one in the nature of Writ of Mandamus declaring the action of the Executive Officer of the 2nd respondent-temple in rejecting the permission to the petitioners Malyala family to perform Lingodbhavakala Abhishekam on Mahasivarathri Day as illegal, arbitrary and contrary to the customary right and consequently, direct the Executive Officer of the 2nd respondent-temple to permit the petitioners Malyala family to perform Lingodbhavakala Abhishekam on Mahasivarathri Day without interruption as per the custom and pass such other order or orders as are deemed fit and proper.”

2. Earlier, the petitioners herein filed W.P.M.P.No.675 of 2010 before this Court in the present writ petition for a direction to the respondents to permit them to perform Lingodbhavakala Abhishekham on Mahasivarathri day for the year 2010 i.e., on 12.02.2010. This Court, by way of an order, dated 09.02.2010, dismissed the said application while holding that the petitioners herein cannot be permitted to perform pooja and abhishekham as prayed for in the absence of any adjudication in that regard, as contemplated under Section 87(1)(e) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

3. Today, when the matter is taken up, it is submitted by the learned counsel for the petitioners that pursuant to the above said

order passed by this Court, petitioners herein filed Original Application before the Endowments Tribunal for adjudication of their rights but the same ended in dismissal for non-prosecution.

4. In view of the above, no adjudication can be undertaken in the present writ petition and the same is, accordingly, closed. There shall be no order as to costs.

5. Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

Date : 08.11.2017
AMD

JUSTICE A.V.SESHA SAI



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