

**THE HON'BLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION Nos.27122, 27296, 27303, 27314, 27317,  
27318, 27319, 27335, 27336, 27387, 27449, 27451 and  
27457 of 2017**

**COMMON ORDER:**

Since the petitioners in these cases share a similar grievance, this Court deems it appropriate to dispose of these writ petitions by way of this common order.

Heard Sri K. Chidambaram, learned counsel for the petitioners, learned Government Pleader for respondent No.1 and Smt. K. Lalitha for the 2<sup>nd</sup> respondent Institution.

According to the petitioners, in all these writ petitions the subject properties are their private properties and they have purchased the same by way of registered sale deeds and that the properties do not belong to the 2<sup>nd</sup> respondent Institution. They have also stated in the affidavits filed in support of these writ petitions that ever since their respective dates of purchase, they have been in possession and enjoyment of the properties without there being any interference.

By virtue of the impugned notices, dated 26.07.2017, while asking the petitioners to handover the properties within a period of one week from the date of their receipt, the 2<sup>nd</sup> respondent stated that appropriate legal action will be taken in accordance with the provisions of the Act 30 of 1987 and the Inam Abolition Act.

According to the learned counsel for the petitioners, the 2<sup>nd</sup> respondent has no jurisdiction to issue such notices and since the properties are the private properties of the petitioners, the 2<sup>nd</sup> respondent cannot ask them to vacate the subject properties. It is submitted by the learned counsel for the petitioners that unless

the 2<sup>nd</sup> respondent obtains a patta from the competent authority, the 2<sup>nd</sup> respondent cannot claim the properties as their own.

On the other hand, it is submitted by the learned Standing counsel that the subject properties belong to the 2<sup>nd</sup> respondent Institution and it is supported by RSR and property register. It is further submitted that if the petitioners fail to handover the possession of the subject properties as indicated in the impugned notices, appropriate action would be taken by the 2<sup>nd</sup> respondent strictly in accordance with the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act (for short, “the Act”) and the Inam Abolition Act.

In view of the above, the respondents are directed to proceed strictly in accordance with the provisions of the Act and the Inam Abolition Act before resorting to any action in the direction of dispossessing the petitioners from the subject properties.

With the above direction, all these writ petitions are disposed of. No order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

**A.V.SESHA SAI, J**

Date: 17.08.2017  
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