

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.11543 of 2010

ORDER:

The petitioner claims to be a landless poor person, and to be a cultivating tenant of the 1st respondent-Temple since 1994. He claims protection under Section 82(2) of the A.P. Charitable Hindu Religious Institutions and Endowments Act, 1987 (for short "the Act").

When the 1st respondent-Temple sought to put the leasehold rights to public auction, the petitioner invoked the jurisdiction of this Court by filing the present writ petition and, by way of an interim order in W.P.M.P.No.14641 of 2010 dated 19.05.2010, this Court directed the petitioner to submit an application to the Assistant Commissioner of Endowments claiming the status of a landless poor within a period of one week, and the Assistant Commissioner of Endowments to adjudicate upon the issue within two weeks thereafter. Till adjudication of the said application, the auction, if any, held was directed not to be confirmed. This Court also made it clear that, in case the petitioner failed to file any application before the Assistant Commissioner of Endowments seeking declaration as a landless poor within the stipulated time, the interim order would stand vacated.

While Sri T.Balaji, learned counsel for the petitioner, states that the petitioner made a representation on 22.05.2010, he expresses ignorance as to what transpired thereafter. No counter-affidavit is filed on behalf of either of the respondents.

Any protection, which the petitioner is entitled to under Section 82(2) of the Act, can be extended only if he is declared to be a landless poor person. Suffice it therefore to make the interim order, detailed hereinabove, as the final order in the writ petition.

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

(RAMESH RANGANATHAN, ACJ)

10th November, 2017
JSU



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Date: 10.11.2017

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