

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22508 OF 2017

ORDER:

This writ petition is filed to declare the action of the respondents in erecting the fencing in petitioners schedule property as illegal and arbitrary.

Heard learned counsel for the petitioners and learned Standing Counsel for Endowments.

Admittedly, the petitioners have remedy under Section 87 (2) of the A.P.Charitable and Hindu Religious Institutions and Endowments Act (for short "the Act"). But learned counsel for the petitioners says that though pattas were granted to the petitioners under Inams Abolition Act, without considering the said aspect, the respondents moved O.A.No.391 of 2017 before the Endowments Tribunal, Amaravathi and when the same is pending, even before notices are issued to the petitioners, the respondent-authorities are trying to fence the schedule property, which is in possession of the petitioners. The names of the petitioners were also entered into revenue records.

In view of the same, I am not inclined to entertain the writ petition. However, liberty is granted to the petitioners to approach the Endowments Tribunal under Section 87(2) of the Act for obtaining appropriate orders. Since learned counsel for the petitioners expresses threat

of dispossession, there shall be interim direction to the respondents not to dispossess the petitioners for a period of two weeks to enable the petitioners to avail alternative remedy. If the petitioners do not avail the same, the respondent-authorities can take appropriate action in accordance with law.

Accordingly, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

07-07-2017

Note:

Issue C.C. today.

B/o.

Nvl

A.RAJASHEKER REDDY,J





