

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23067 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the inaction of the 2nd respondent in considering the petitioner's representation, dated 06.10.2015, submitted under Section 53 of A.P. charitable Hindu Religious and Endowments Act, 1987, seeking to recognize and appointing the petitioner as Matadipathi of Chittarimutt of Punganur Town, Chittoor District, as per the declaration given by the previous Matadipathi late Sri Virupaksha Swamulu Varu through a registered Will, dated 21.10.2008, as illegal and arbitrary and consequently, direct the 2nd respondent to consider the representation of the petitioner.

It is the case of the petitioner that he is an ordinate devotee of Chittarimutt since his childhood and he has been with Sri Virupaksha Swamulu Varu and is strictly adhering to the customs and rituals of the Mutt. While so, Sri Virupaksha Swamulu Varu executed Will Deed, dated 21.10.2008, nominating the petitioner as his disciple in order to succeed as Matadipathi of the said Mutt and registered the said Will. After demise of Sri Virupaksha Swamulu Varu, the petitioner is looking after the affairs of the Mutt and subsequently, he submitted an application in the year 2010, to the 2nd respondent to appoint him as Matadipathi in terms of the Will executed by the earlier Matadipathi. The 4th respondent has asked the 5th respondent to enquire into the matter and submit remarks. As no orders are passed on the said representation, the petitioner submitted another representation, dated 6.10.2015, before the 2nd respondent requesting him to consider his case. But, no action has been taken by the 2nd respondent so far. Hence, this writ petition.

Heard and perused the material available on record.

Considering the circumstances of the case and the grievance of the petitioner, without going into the merits, this Court is inclined to pass the following order:

The 2nd respondent is directed to consider representation, dated 06.10.2015, made by the petitioner, and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

July 12, 2017
KTL

RAJA ELANGO, J

