

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

WRIT PETITION No.29624 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Endowments for respondent No.1 and Sri A. Srikanth Reddy, learned Standing counsel for respondent Nos.2 and 3.

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

“... to issue a writ, order or direction, more particularly a writ in the nature of writ of Mandamus declaring the action of the 1st respondent i.e., Sri Bramaramba Mallikharjuna Swamy Devasthanam, Srisailam Town and Mandal, Kurnool District, rep., by its Executive Officer in disconnecting the power supply to the Plot No.2, situated at B.S.R. Road (R.P. Road), Srisailam Town and Mandal, Kurnool District, and directing the petitioner to forthwith vacate the plot and threatening demolition of the plot without giving the petitioner a reasonable time to vacate the shop, as bad, illegal, arbitrary, opposed to law, discriminatory.”

Earlier, the petitioner filed W.P.No.23803 of 2017 before this Court, questioning the action of the respondent temple in attempting to evict the petitioner from Plot No.2 situated at B.S.R. Road, Srisailam. This Court by way of an order, dated 19.07.2017, disposed of the said writ petition, directing the respondents therein to allot a shop to the petitioner in the newly constructed complex, namely, Sri Siddi Ramappa Shop Complex with a further observation that the said allotment would be subject to the outcome of W.P.No.40252 of 2015, pending before the Division Bench of this Court. Pursuant to the said order, the 1st respondent, Temple, vide proceedings

Rc.No.C2/3709/2016/54, dated 16.08.2017, allotted Shop No.54 in favour of the petitioner.

The grievance of the petitioner in the present writ petition is that the respondent Temple authorities, without giving any reasonable and breathing time, asked him to vacate Plot No.2 situated at B.S.R. Road, Srisailam.

It is submitted by the learned counsel for the petitioner that in case of similarly situated persons, the 1st respondent Temple granted breathing time and whereas in the case of the petitioner, they are not extending the same benefit and that the same is in total violation of Article 14 of the Constitution of India.

On the other hand, it is submitted by the learned Standing counsel for the 1st respondent Temple that despite the allotment made pursuant to the orders of this Court, the petitioner is not vacating the earlier shop and except the petitioner, all other individuals have vacated their respective shops and that because of the attitude of the petitioner, the development activities of the Temple have come to stand still.

Eventually, a request is made by the learned counsel for the petitioner to grant some reasonable time to the petitioner for vacating Plot No.2.

Having heard the learned counsel for the petitioner and the learned Standing counsel for the 1st respondent, this Court deems it appropriate to dispose of the writ petition by granting two weeks time from today to vacate Plot No.2

situated at B.S.R. Road, Srisailam and immediately after the said period, he shall vacate the premises.

With the above observations, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, shall also stand dismissed.

A.V.SESHA SAI, J

Date: 01.09.2017
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