

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.1052 of 2018

ORDER:

Heard learned counsel for the petitioners and also learned Government Pleader for Endowments representing respondents and perused the prayer in the writ petition and other material on record.

2. The prayer in the writ petition reads as follows:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon’ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.4 in not appointing the non hereditary trustees of 5th respondent institution even after expiry of term of old trustee vide Proc. Rc. No.D/1840/2013, dated 30.10.2010 issued by the 4th respondent and not considering the eligible local people for constituting new trust for 5th respondent and in not considering the representations of the petitioners dt.11.12.2017 and 02.01.2018 as illegal arbitrary and violation of Article 14, 16 and 21 of Constitution of India and consequently direct the respondent authority to appoint the non hereditary trustees to the 5th respondent temple by considering the representations dt.11.12.2017 and 02.01.2018 of the petitioners, and pass such other order or orders as this Hon’ble Court deems fit and proper in the interest of justice.”

3. As per the respondents written submissions and from instructions, already a notification was issued for filling up of the non-hereditary members of the Trust Board of the 5th respondent Temple and it is in process in verification of the antecedents of the prospective candidates pending with the police and it is going to be finalised soon.

It is the submission of the learned counsel for the petitioners that they already applied and also made representations including on 11.12.2017 and 02.01.2018 well in advance within the stipulation time fixed for last date of the filing of the prospective candidates willingness to consider. Having regard to the above, if the applications are filed and pending of the petitioners also, the same to be considered on own merits.

4. With these observations, the writ petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

18th January 2018

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Dr. B. SIVA SANKARA RAO, J

