

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Petition No.10284 of 2009

Order:

This Writ Petition is filed to declare the notice of the fifth respondent dated 04.05.2009 as illegal and arbitrary.

The notice dated 04.05.2009 reads as follows.

“In pursuance of the orders issued in the references cited, I have requested you several times to handover complete charge of the Sri Pandu Ranga Swamy Vari Temple, Chilakalapudi. But you have failed to do so. Hence I am to inform you that I have assumed the charge of the temple on the FN of 4.5.2009.

Hence you are hereby requested to handover complete charge of records and accounts, movable and immovable properties immediately, failing which legal action will be taken against you as per law.”

The contention of the petitioners is that they filed WP No.24983 of 2006 challenging the orders of the third respondent in IA Nos.16, 17 and 18 of 2002 in OA No.1 of 1987, dated 30.10.2006, and that the said Writ Petition was disposed of on 19.12.2007 giving liberty to them to make appropriate application, if they are so advised, under Section 87(1)(hence) of the Endowments Act and further the third respondent was directed to dispose of the OA at the earliest point of time.

This Court, while admitting the Writ Petition on 20.05.2009, granted interim suspension of the impugned notice dated 04.05.2009.

When the matter is taken up for hearing today, learned Standing Counsel appearing for the fifth respondent Temple submits that the petitioners can approach the Tribunal and seek for appropriate directions. He further submits that T. Ramachandra, Manager of the Temple, the fifth

respondent herein and the petitioners 1 and 2 passed away and that the matter has become infructuous.

Learned counsel for the petitioners does not dispute the same and admits that the petitioners 1 and 2 passed away, but no LR petition has been filed to bring the LRs of the petitioners 1 and 2 on record.

In view of the same, the Writ Petition is dismissed as infructuous. However, if the third petitioner is so advised, he can avail the alternative remedies available to him under law. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J.

Date: 06.12.2018
Nsr



THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI



Date: 06.12.2018

Nsr