

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 10524 OF 2008

ORDER :

Heard learned counsel for the petitioner as well as Sri Kotha Jaganmohan Reddy, learned Standing Counsel and learned Government Pleader for Endowments (Telangana) on behalf of the respondents.

This Writ Petition is filed calling in question the proceedings dated 29.04.2008 of the 1st respondent – Assistant Commissioner of Endowments, Warangal appointing the 2nd respondent – Inspector, Endowments Department, Warangal as custodian to Sri Vasavi Kanyaka Parameswari Devasthanam, Ramannapet.

The case of the petitioner is that G.O.Ms. No. 1572, Revenue (Endowments. I/I) Department, dated 24.10.2006 was issued exempting Sri Shiridi Sai Temples and Kanyaka Parameswari Temples in the composite State of Andhra Pradesh from the purview of Sections 15 and 29 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and permitting them to have their self-government in all respects.

G.O.Ms. No. 1572, dated 24.10.2006, on which reliance has been placed by the petitioner, reads thus:

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Endowments – Administration of Religious Institutions – Sri Shiridi Saibaba Temples and Sri Vasavi Kanyaka Parameshwari Temples in the State of Andhra Pradesh – Granting of exemption u/s 15 and 29 of Act 30 of 1987 in order to leave the institutions with the managements – Orders – Issued.

Revenue (Endowments.I/I) Department
G.O.Ms.No. 1572

Dated: 24.10.2006

Read the following:

- 1) Minutes of the Review Meeting held by Hon'ble Chief Minister on 29.03.2006 on the issues pertain to Endowments Department.
- 2) From the Commissioner of Endowments, Hyderabad Letter No. N1/32341/1997, dated 14.07.2006.

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ORDER:

1. In a review meeting on Endowments Department held on 29.03.2006 a decision was taken to leave the management of Shiridi Saibaba Temples and Kanyaka Parameshwari with the respective committees of the management.
2. In pursuance of the above decision, the Commissioner of Endowments, Hyderabad, has reported that Sri Shiridi Sai Temples in the State are being managed by the respective self-styled committees at various places and Endowments Department has not interfered so far with the management of these temples despite the judgment of the Hon'ble High Court in W.A. No. 594/94, that Shiridi Sai Baba Temples will come under the purview of Endowments Act 30 of 1987. Aggrieved by the said order, the All India Sai Seva Samaj has filed an appeal before the Hon'ble Supreme Court and the same is pending. No interim orders are given in the said Appeal.
3. In general, Shiridi Sai Temples and Kanyaka Parameswari Temples are being managed well by the respective management committees. There are no complaints whatsoever on management of these temples.
4. Therefore, the Government, having satisfied with the management of Sri Shiridi Sai Baba Temples land Sri Kanyaka Parameswari Temples in the State of Andhra Pradesh hereby grant exemption from the operation of Sections 15 and 29 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 as indicated in the Notification appended to this order.
5. The Commissioner of Endowments, Hyderabad shall take necessary action accordingly.
6. The Notification appended to the Order shall be published in the next issue of Andhra Pradesh Gazette.

(By order and in the name of the Governor of Andhra Pradesh).

I.V. SUBBA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Endowments, Hyderabad
The Commissioner, Printing Stationery and Stores Purchase,
Chanchalguda, Hyderabad.

Copy to

All Shiridi Saibaba Temples
All Sri Kanyaka Parameswari Temples (through CED)
The PS to M(Endts.)
The PS to Special Secretary to CM
The Revenue (Endts.II/IV) Department.

/ Forwarded :: By Order/

SECTION OFFICER

APPENDIX
NOTIFICATION

In exercise of the powers conferred under Section 154 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act 30 of 1987) the Governor of Andhra Pradesh hereby exempts the following temples from the operation of Sections 15 and 29 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

- (i) All Shiridi Saibaba Temples that are managed by Registered Associations and are directly associated or affiliated by Registered Associations and are directly associated or affiliated to Shiridi Saibaba Samsthana, Shiridi.
- (ii) All Sri Kanyaka Parameswari Temples, which are independently managed by the Registered Arya Vysya Associations.

I.V. SUBBA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

The Writ Petition is of 2008. So far, no counter-affidavit is filed denying the averments made in the writ affidavit. In the

absence of any counter-averments and also in the absence of any argument to the effect that the above said Government Order has no application now, the proceedings, dated 29.04.2008 of the 1st respondent appointing the 2nd respondent as the custodian of Sri Vasavi Kanyaka Parameswari Devasthanam, Ramannapet, is liable to be set aside.

The Writ Petition is therefore, allowed setting aside the proceedings, dated 29.04.2008 of the 1st respondent. No costs.

Consequently, the miscellaneous Applications, if any shall stand disposed of.

27th August 2018

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CHALLA KODANDA RAM, J

