

**HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI**

**WRIT PETITION NO.22291 of 2009**

**ORDER:**

This writ petition is filed questioning Memo.No.29810/E.IV(1)/2009 dated 18.9.2009 issued by the Government rejecting the application for renewal of the exemption as illegal and unjust.

The case of the petitioner-Temple is that they sought exemption under Sections 15 and 29 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act in view of the guidelines given by the Government for obtaining exemption under Section 154 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act and accordingly obtained exemption for a period of three years from 1.4.2006 to 31.3.2009 vide G.O.Ms.No.415 dated 1.4.2006; as the said period was over, the petitioner –temple sought for renewal of exemption again on 16.12.2008 and the said request was turned down at the level of the Minister on 1.8.2009; a review petition was filed before the Hon'ble Minister , on 3.8.2009; that there were no changes for not granting exemption in favour of the petitioner-temple; this Court vide orders dated 2.7.2004 in

W.P.No.9203 of 1993 directed the authorities to issue notice before considering the application for exemption; that the authorities without hearing the petitioner-temple passed the impugned order and hence, the writ petition.

Today, when the matter came for hearing, learned Government Pleader passed on written instructions of the Assistant Commissioner dated 14.11.2018, according to which, the Commissioner, Endowments Department, Hyderabad on 24.2.2010 has appointed the Executive Officer, Sri Venugopala Sway Temple, Thotlavalluru as the Executive Officer to the petitioner-temple; the orders could not be implemented and the temple is now under the management of Sri SAV.Sastry, Founder Family Member who is the representative of the petitioner-temple and the said person expired; Sri S.Sarath Chandra Prasad, has been recognized as Founder Family Member of the said temple as per the orders of the Deputy Commissioner, Endowments Department, Kakinada, and that the present temple is being maintained by Sri S.Sarath Chandra Prasad, Founder Family Member.

In view of the fact that the representative of the Founder Family Member of the temple Sri SAV.Sastry expired, the present Found Family Member Sri S.Sarath Chandra Prasad is at liberty to file an application seeking exemption.

The Writ Petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

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**KONGARA VIJAYA LAKSHMI, J**

**Date: 15/11/2018**  
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