

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 14219 of 2003

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the proceedings dated 23.04.2003 issued by the 1st respondent, as illegal and arbitrary.

Heard Sri A. Bhaskarachari, learned counsel for the petitioner and learned Government Pleader for Endowments for the official respondents.

It has been contended by the petitioner that under Section 29 of the Endowments Act, a person in-charge can be appointed only for three temples, but the 1st respondent appointed the 4th respondent as person in-charge for 14 temples which is not permissible under law and, hence, the impugned proceedings are liable to be set aside.

Learned counsel for the petitioner has submitted that similar issue fell for consideration before this Court in W.P.No.11894 of 2003 and this Court vide orders dated 01.12.2001 set aside the appointment of person in-charge who was appointed for 14 institutions and prayed that similar orders may be passed in the present writ petition.

Learned Government Pleader for Endowments has not disputed the same.

This Court having considered the submissions made by the parties is of the considered view that the writ petition is squarely covered by the orders dated 01.12.2001 passed by this Court in

W.P.No.11894 of 2003 and the impugned proceedings are liable to be set aside.

Accordingly, the writ petition is allowed and the proceedings dated 23.04.2003 issued by the 1st respondent insofar as the 5th respondent are set aside.

As a sequel, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No costs.

ABHINAND KUMAR SHAVILI, J

2nd November, 2018
cbs



HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



Writ Petition No. 14219 of 2003
(allowed)

2nd November, 2018

cbs