

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.24095 OF 2008

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“(i) the action of the 1st respondent in consenting to finance 50% of project cost involved in execution of the project detailed in impugned G.O.Ms.No.687 dated 1.10.2008 issued by the 5th respondent;

(ii) G.O.Ms.No.687 dated 01.10.2008 issued by the 5th Respondent in so far as it requires the 1st Respondent to finance 50% of the project envisaged and sanctioned under the impugned G.O.

(iii) Consequently issue a direction to the 1st Respondent not to allot funds to any other purpose except for the purpose specified in Section 111 of Act 30 of 1987;

(iv) and further direct the Respondents 2 and 5 to refrain from requiring the funds of the 1st Respondent for purposes other than the benefit of worshippers and pilgrims and purposes contained under Section 111 of the Act 30 of 1987 and pass such other or further order or orders as are deem fit and proper in the circumstances of the case.”

2. It is the case of the petitioners that the A.P. Charitable and Hindu Religious Institutions & Endowments Act, 1987, as applicable to the T.T.D., does not permit T.T.D funds being utilized for any other purpose other than those specified in Section 111 of the Act 30 of 1987 and extension of water supply facilitate towards other towns. It is further stated that the said act *ultra vires* the powers of the T.T.D. in terms of the Act as applicable to T.T.D.

3. When the matter is taken up for hearing, learned Standing Counsel appearing for the 1st respondent, on instructions, submits that as a matter of fact, after filing of the writ petition, the T.T.D. has taken note of the same and in fact, has not contributed any amount for the purpose other than those specified in Section 111 of the Act 30 of 1987.

4. In the light of the submission made by the learned Standing Counsel for T.T.D., it is made clear that if the submission made by the learned Standing Counsel for the respondents turns out to be false, the present Executive Officer shall be taken to task. The question raised is not being adjudicated and is left open for future determination, if necessary arose.

5. Subject to the above, the Writ Petition is closed. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

JUNE 21, 2018

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Date:21.06.2018