

THE HON'BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.20625 of 2001

O R D E R:

The deceased 1st petitioner claims to be hereditary trustee of Sri Yadalam Nagamma Charities, Cuddapah and managing all the properties of Yadalam Nagama Charities. The 1st respondent vide proceedings in Rc.No.G3/46606/2001-7 dated 31.8.2001 passed orders under section 29(5)(d) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 30 of 1987 (for short, 'the Act') authorizing Sri R.Viswanatha Reddy, Group Temples, Pulivendula, Cuddapah to exercise the powers, perform the functions and discharge the duties of Executive Officer of the group institutions including Sri Yadalam Nagamma Charities. Questioning the said order, this Writ petition is filed on the ground that no notice was issued before passing the impugned order. The 1st respondent has no power to appoint the Person in Management to Sri Yadalam Nagamma Charities, Cuddapah.

This Court, while admitting the writ petition passed interim order of suspension in WPMP.No.26011 of 2001 dated 4.10.2001.

In view of interim suspension of the impugned order, the appointment of Sri R.Viswanatha Reddy for Group Temples is not acted upon and during the pendency of the writ petition, Section 29(5)(d) of the Act was amended by amending Act 33 of 2007 with effect from 3.1.2008 and changed the whole process of appointment of Executive Officers under Section 29(5)(d) of the Act.

In view of interim suspension of the impugned order and also in view of amendment of Section 29 of the Act by amendment Act 33 of 2007, no further orders are necessary in this Writ Petition. However, the respondents are at liberty to exercise power under Section 29 of the amended Act 33 of 2007.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M. GANGA RAO

Date: 11/07/2018

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