

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.22743 of 2018

ORDER:

Heard learned counsel for the petitioner and Smt.K.Lalitha, learned Standing Counsel for Endowments, apart from perusing the material on record.

The very initiation of proceedings in O.A.No.726 of 2017, on the file of the Endowments Tribunal, Andhra Pradesh, under Section 83 of the A.P.Charitable & Hindu Religious Institutions & Endowments Act, 30 1987, is under challenge in the present Writ Petition.

The sum and substance of the case of the petitioner is that, in view of the orders passed by the Deputy Commissioner of Endowments in O.A.No.48 of 1988, dated 16.01.1996, the very initiation of the proceedings, in the present O.A.No.726 of 2017, is impermissible.

A perusal of the order, dated 16.01.1996, passed in O.A.No.48 of 1988, shows that the said proceedings were closed by the Deputy Commissioner as abated in view of the death of the first respondent therein, who is no other than the father of the petitioner herein. It is also evident from the said order that the petitioner herein was shown as the second respondent. Since the present O.A.No.726 of 2017 is pending consideration before the Tribunal, it is always open for the petitioner herein to raise objections for the maintainability also before the Endowments Tribunal and, if any such

objections are raised as to the maintainability, the Tribunal may consider the same and pass appropriate orders.

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

Miscellaneous petitions pending, if any, shall stand closed.

13th July, 2018
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A.V.SESHA SAI,J

