

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

Writ Petition No.24012 of 2018

ORDER:

In the present Writ Petition, the petitioner herein assails the Orders of the State Government issued vide G.O.Rt.No.915, dated 02.07.2018, appointing the unofficial respondent herein as Member of the Trust Board of the 3rd respondent-Devasthanam. The sum and substance of the case of the petitioner in the present Writ Petition is that the appointment of the unofficial respondent is contrary to Section 19 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

Learned Counsel for the petitioner contends that in view of the registration of F.I.R. in Cr.No.17 of 2018, dated 06.02.2018, on the file of Mahanandi P.S., Kurnool District, for the alleged offence under Section 420 I.P.C., against the unofficial respondent herein, the very appointment of the 4th respondent as Trustee of the subject temple by virtue of the impugned Order is unsustainable and untenable and liable to be set aside.

Section 19 of the Act deals with the *disqualifications for trusteeship*. Clause (e) of sub-Section (1) of Section 19 of the Act stipulates that a person suffers disqualification if he is sentenced by a Criminal Court for an offence involving moral turpitude. In the instant case, except the registration of the FIR against the unofficial respondent, there is no conviction and the sentence imposed by any criminal Court against the unofficial respondent.

In view of the above reasons, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand disposed of.

JUSTICE A.V.SESHA SAI

Date: 12.07.2018
smr

