

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.25176 OF 2018

ORDER:

Heard learned counsel for the petitioner and learned Government Pleaders for Endowments, Home and Revenue appearing for the respondents.

The limited grievance of the petitioner, in the present Writ Petition, is that the respondent-temple authorities are interfering with his possession and enjoyment of the property, which is a lodge viz., SRI SAI TEJA RESIDENCY, situated at D.No.4-124, Sannidi Street, Ward No.4, Srikalahasti, Chittoor District.

This Court, on 20.07.2018, passed an *interim* order directing the respondent-authorities not to demolish the subject premises and the said order was extended, thereafter, for a period of three (3) weeks from 13.08.2018.

Now vacate application vide I.A. No.2 of 2018, supported by a counter-affidavit, is filed by the respondent-authorities saying that for development of the temple, in consonance with the master plan, they are taking the lands by way of negotiations and 90% of the immovable properties have already been taken and the amounts have already been disbursed to the respective beneficiaries. It is further stated in the counter-affidavit that the petitioner herein having participated in the negotiation process, requested to provide

an alternative land but, due to lack of vacant site for the future needs of the temple, his request has not been accepted by the Government. The said Counter also denies threat of demolition to the subject premises. It is further stated in the counter-affidavit that, if the petitioner is not willing to accept the compensation offered by the temple, the temple will follow due procedure in acquiring the subject premises.

In view of the afore-stated averments in the counter-affidavit and taking into consideration the submission of learned counsel for the petitioner, this Court deems it appropriate to dispose of the Writ Petition, directing the respondents-temple authorities not to demolish the subject premises which is a lodge *viz.*, SRI SAI TEJA RESIDENCY, situated at D.No.4-124, Sannidi Street, Ward No.4, Srikalahasti, Chittoor District, without recourse to law. However, it is further made clear that the respondent-authorities are entitled to proceed strictly in accordance with law.

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

Miscellaneous petitions, if any pending, shall also stand disposed of in consequence.

A.V.SESHA SAI, J

28th August, 2018.

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