

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION Nos. 40844 of 2018

ORDER:

The present writ petition came to be filed seeking issuance of writ of *mandamus* declaring the action of the respondents 2 and 3 in interfering with the petitioner's possession and enjoyment over the land admeasuring Ac.0.62 cents in Survey No. 58/2, Ravulakollu Village, Ponnaluru Mandal, Prakasam district, as illegal, arbitrary and violative of Articles 14 and 300-A of the Constitution of India.

2. A perusal of the material on record would show that earlier, the respondents 2 and 3 filed O.A. 652 of 2018 against the petitioner herein, before the A.P. Endowments Tribunal, seeking a direction under Section 83 of the A.P. Charitable Hindu Religious Institutions and Endowments Act (hereinafter mentioned as the 'Act'), in respect of the very same property which the petitioner claims to be in possession of, and the said O.A is pending on the file of the Endowments Tribunal.

3. Having regard to the above, since the Endowments Tribunal is seized of the matter, it may not be proper for this Court to entertain the present writ petition under Article 226 of the Constitution of India. Therefore, I see no grounds to entertain the present writ petition.

4. At this stage, the counsel for the petitioner contends that the petitioner is in possession of the property in dispute and the authorities are trying to dispossess him without following the due process of law.

5. In view of the above, the petitioner is directed to make a suitable application before the concerned forum seeking appropriate relief, in which event, the same shall be dealt with in accordance with law. It is needless to mention that any action of dispossession shall be only in accordance with the provisions of law.

6. Accordingly, the present writ petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

14.11.2018
DMG

JUSTICE C. PRAVEEN KUMAR

