

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.42122 OF 2017

ORDER:

This writ petition was filed challenging the action of the second respondent in not disposing of O.A.No.493 of 2011 even after lapse of six years.

The petitioners state that one P.Venkata Rama Rao, S/o Gangaiah was the original owner of agricultural land of an extent of Acs.120.00 in Survey No.9, situated at Tadubai Village, Jangareddygudem Mandal, West Godavari District. He leased out the agricultural land of an extent of Acs.42.71 cents to the family members of the petitioners in the year 1965 under a registered lease deed, dated 02.09.1969. The said P.Venkata Rama Rao executed a settlement deed in respect of the leased land to Sri Kodandarama Swamy Temple on 13.12.1957. There is a condition in the settlement deed that the schedule property should be utilised for the development of the temple and utilise the income derived thereon for celebrating the annual kalyanotsavams to meet the daily expenditure and carry out necessary repairs to the temple. The said P.Venkata Rama Rao sold the agricultural land of an extent of Acs.36.00 in favour of M.Srinivasa Rao and K.Venkatadri Appa Rao in the year 1978. The said K.Venkatadri Appa Rao, in turn, sold the said land in favour of M.Sobhana in the year 2003 through a registered sale deed. The said Sobhana gifted the said land to Sri P.Venkata Krishna Prasad in the year 2006.

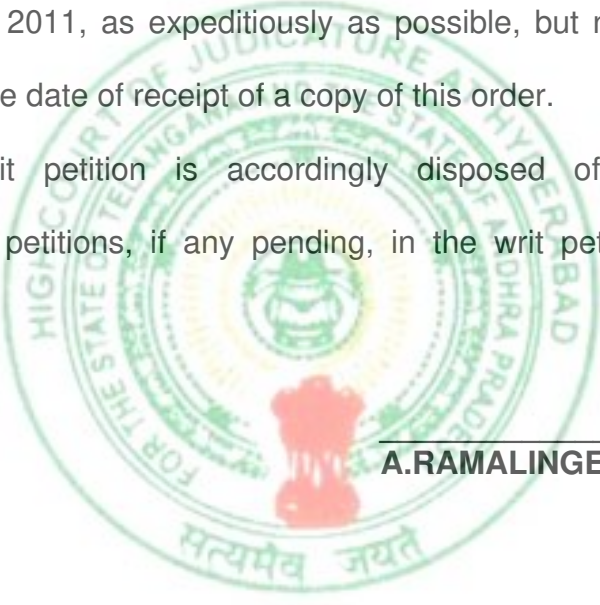
When the fourth respondent was interfering with the possession of the said land, the petitioner filed W.P.No.24586 of 2011 and the said writ petition was disposed of on 22.12.2011. The petitioners thereafter filed O.S.Nos.121, 122 and 123 of 2011 on the file of the Junior Civil Judge, Jangareddygudem, against the fifth respondent and the Tahsildar seeking permanent injunction. Since the fifth respondent filed I.A., to return the

plaint as the suit was not maintainable and the fifth respondent already approached the Endowments Tribunal and filed O.A.No.493 of 2011. The learned Junior Civil Judge, by order, dated 20.01.2015 allowed the said petition and returned the suit to be presented before the appropriate Court. The second respondent issued a notice on 27.06.2011 and directed the petitioners to appear before the Tribunal on 30.07.2011 in O.A.No.493 of 2011. When no further steps were taken, the present writ petition was filed.

Since the prayer in the present writ petition is innocuous, this writ petition is disposed of directing the second respondent to dispose of O.A.No.493 of 2011, as expeditiously as possible, but not later than six months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in the writ petition shall stand closed.

26.04.2018
pln

A.RAMALINGESWARA RAO, J