

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.1281 of 2019

ORDER

Heard learned counsel for the petitioners, learned Government Pleader for Endowments for respondents 1,3 and 4 and Sri Kotha Jagan Mohan Reddy, learned counsel for respondent No.2.

2. The petitioners asserted that they are tenants of the premises belonging to the 2nd respondent temple by paying rent @ Rs.125/- per month separately to the Executive Officer without default. The said premises was built about more than 100 years back. They asserted that the temple is classified as 6(c) institution since the income is less than Rs.2,00,000/-. While so, the 5th respondent had approached the 1st respondent-Commissioner to reconstruct the temple and Dharmashala on donor scheme and the same was accorded with an estimated cost of Rs.3,30,00,000/-. Petitioners asserted that though the Executive Officer of the 2nd respondent temple has not recommended the said renovation, at the instance of the 5th respondent, the 1st respondent accorded sanction for reconstruction of the temple. They asserted that the 5th respondent being independent third party is likely to obtain funds from various sources and misuse the same in the name of the temple. Petitioners further asserted that no notice was given to them to vacate the premises of the temple and therefore, the impugned sanction accorded by the 1st respondent is liable to be set aside.

3. Having regard to the facts and circumstances, *prima facie*, this Court is not satisfied with the grounds raised by the petitioners regarding permission for reconstruction of the temple accorded by the 1st respondent. It is not the case of the petitioners, at this point of time, that they have any interest with respect to the temple. The only ground is that they would continue to be the tenants in the subject premises by paying rents. Even the assertion of the petitioners in the affidavit that they are paying rent @ Rs.125/- per month appears to have been fixed long ago. The question whether the rent paid by the petitioners is reasonable or not, is not the subject matter of this petition. However, this Court can take note of the fact that the property is situated in a busy locality of Feelkhana and even according to the petitioners, the property is about 100 year old. In that view of the matter, the safety of the persons, who are utilizing the said property for their business purpose and visiting the said premises, is also a question which requires to be considered. At any rate, as the petitioners have no locus standi to challenge the developmental activities proposed by the 1st respondent either at the instance of 5th respondent or at the instance of the Executive Officer of the temple or at the instance of any third party, who will contribute the amounts, this Court is not inclined to consider the validity or otherwise of the proceedings dated 04.09.2018 sanctioning permission for reconstruction of the temple on donor scheme.

4. In those circumstances, I do not see any merit in this writ petition and the same is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed. No order as to costs. Miscellaneous petitions, if any pending in this writ petition, shall stand dismissed.

25th January, 2019

CHALLA KODANDA RAM, J

sj