

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1936 OF 2020

ORDER:

Heard the learned counsel for the petitioners as well as the learned Government Pleader appearing for the respondents.

2. The prayer sought in the writ petition is as under:

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ or direction more particularly one in the nature of Writ of Certiorari quashing the order passed in O.A.No.42 of 2017 dated 24-09-2019 passed by the Telangana Endowments Tribunal at Hyderabad and consequently set aside the eviction notice dated 17-01-2017 issued by Respondent No.2 herein in the interest of Justice and to pass any other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case, and pass such other order or orders may deem fit and proper in the circumstances of the case.'

3. Learned Government Pleader appearing for the first respondent submits that the order impugned in the present writ petition is appealable under Section 84(2) of the Telangana Charitable and Hindu Religious Institutions and Endowments Act, 1987.

4. Having heard the learned counsel for the petitioners and from the perusal of the affidavit filed in support of the writ petition, this Court is of the opinion that the petitioners have not made out any case in filing the present writ petition coming under the three exceptions carved out for filing a writ petition when alternative remedy of appeal is available. Therefore, this Court is of the opinion that the writ petition as filed is not maintainable.

5. Accordingly, the writ petition is dismissed giving liberty to the petitioners to file an appeal as contemplated under Section 84(2) of the Act.

6. Learned counsel appearing for the petitioners submits that the appeal will be filed within one week from today and the possession of the petitioners may be protected. In such an event, the respondents are directed not to take any coercive steps till one week from today.

7. Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

Date:30.01.2020

PGS

JUSTICE P.KESHAVA RAO