

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

WEDNESDAY, THE THIRTY FIRST DAY OF DECEMBER,
TWO THOUSAND AND FOURTEEN

:PRESENT:

**THE HON'BLE SRI KALYAN JYOTI SENGUPTA, THE CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR**

WP .NO: 41154 of 2014

Between:

Mulakalapalli Mohan Rao son of Rangaiah,
Chairman (Non hereditary trustee) of Sri Mruthyunjaya Swamy Vari
Devasthanam, Madhira, R/o H.No. 12-80, Madhira, Khammam District.

..... Petitioner

AND

- 1 The State of Telangana, Rep. by its Secretary to Government, Revenue (Endowments-I) Department, Secretariat, Hyderabad.
- 2 The Commissioner of Endowments, Hyderabad, Telangana State.
- 3 The Deputy Commissioner of Endowments, Warangal, Telangana State.
- 4 Sri Mruthyunjaya Swamy Vari Devasthanam, Madhira, Khammam District, Represented by its Executive Officer.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue any appropriate Writ, Order or direction more in the nature of Writ of Mandamus : a) Declaring the action of the 1st Respondent in bringing substitution to sub-section 2 of Section 17 of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act 30 of 1987) in so far as reducing the term of office of trustees from " two years to one year from the date of taking oath of office and secrecy" by making an order i.e. Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Telangana Adaptation Order) 2014 in exercise of the powers under section 101 of Andhra Pradesh Re-organisation Act, 2014 (Central Act No.6 of 2014) by issuing a notification vide G.O.Ms.No.37 Revenue (Endowments-I) Department dated 1-11-2014 at clause sub-clause 4 of Clause 4 of the above said G.O. as illegal, arbitrary, violative of Articles 13, 14, 25 and 26 of Constitution of India and the same has to be struck down;. b) Consequently direct the Respondents to continue the petitioner as Chairman (Non-hereditary Trustee) of Sri Mruthyunjaya Swamp Vari Devasthanam, Madhira, Khamrnam District till his term is completed i.e. 21-5-2015.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V. Ravi Kiran Rao, Advocate for the Petitioner, the learned Advocate General (State of Telangana) for Respondent Nos.1 to 3 and Sri Ch. Satish Kumar, Standing Counsel for Respondent No.4, the Court made the following

ORDER:

Rule Nisi. Call for records.

Learned Advocate General appears and submits that he will file

counter. Three weeks time is granted to file counter and affidavit in reply, if any, is to be filed within two weeks thereafter.

The matter to appear along with W.P. No.35887 of 2014.

In the meanwhile, there will be an order of status quo as on today with regard to functioning of the petitioner.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Secretary to Government, Revenue (Endowments-I) Department, State of Telangana, Secretariat, Hyderabad.
- 2 The Commissioner of Endowments, Hyderabad, Telangana State.
- 3 The Deputy Commissioner of Endowments, Warangal, Telangana State.
- 4 The Executive Officer, Sri Mruthyunjaya Swamy Vari Devasthanam, Madhira, Khammam District.
(Addressees 1 to 4 BY RPAD)
- 5 One CC to Sri V. Ravi Kiran Rao, Advocate (OPUC)
- 6 Two CCs to the Advocate General (State of Telangana), High Court, Hyderabad. (OUT)
- 7 Two spare copies.

nnr

HIGH COURT

HCJ

&

SK,J

DATED: 31-12-2014

NOTE: Post along with WP No.35887 of 2014

ORDER

W.P.NO. 41154 OF 2014

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 06-01-2015

**HCJ
&
SK,J**

DATED: 31-12-2014

NOTE: Post along with WP No.35887 of 2014

ORDER

W.P.NO. 41154 OF 2014

DIRECTION