APHC010269032015

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.21206 of 2015

Between:

1. N.SRINIVAS REDDY, S/O. LATE N.KRISHNA REDDY, 48 YEARS, R/O. AGRICULTURIST, R/O. MUDUMALA VILLAGE, C.BELAGAL MANDAL, KURNOOL DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH REP BY ITS PRINCIPAL SECRETARY, ENDOWMENTS DEPARTMENT SECRETARIAT BUILDINGS,HYDERABAD
2. THE COMMISSIONER, ENDOWMENTS DEPARTMENT, ANDHRA PRADESH, HYDERABAD.
3. THE DEPUTY COMMISSIONER ENDOWMENTS DEPARTMENT, KURNOOL.
4. THE ASSISTANT COMMISSIONER ENDOWMENTS DEPARTMENT, KURNOOL.
5. SRI ESWARA ANJANEYA SWAMY DEVASTHANAM, MUDUMALA VILLAGE, C.BELAGAL MANDEL, KURNOOL DISTRICT, REP. BY ITS EXECUTIVE OFFICER, GROUP TEMPLES, GUDUR, KURNOOL DISTRICT.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature Writ of Mandamus, declaring the action of 5th respondent in issuing the impugned auction notification dated 2.7.2015 proposing to conduct public auction of by including the land belonging to the petitioner situated in SY.No.328, to an extent of Ac. 6.43 cents of Kondapuram Revenue village (Mudumala), C.Belagal Mandal, Kurnool District, on 11.7.2015 at 11.00 a.m. even though the petitioner is the absolute owner and possessor of the said land having

purchased the same from its lawful owners by way of registered sale deeds vide Doct.No.1725/1993, dated 17.111993 and Doct.No.1751/1993, dated 7.12.1993 in flagrant disregard to the mandatory procedure contemplated under section 83 of The A.P Charitable & Hindu Religious Institutions & Endowments Act, 1987., as illegal, arbitrary and unconstitutional and consequently forbear the 5th respondent from conducting the public auction for the aforesaid petitioner's land.

Counsel for the Petitioner:

1. K RATHANGA PANI REDDY

Counsel for the Respondent(S):

1. G RAMANA RAO (SC FOR ENDOWMENTS RAYALASEEMAREGION)
2. GP FOR ENDOWMENTS (AP)

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.21206 of 2015

ORDER:-

Precisely, the Writ Petition is filed aggrieved the action of the respondents in conducting public auction, for grant of leasehold rights for the land in Sy.No.328, in an extent of Acs.6.43 cents situated in Kondapuram Revenue Village (Mudumala), C.Belagal Mandal, Kurnool District inviting the bidders, vide auction notice dated 02.07.2015. The petitioner stated that the petitioner is the owner and possessor of the property and he has purchased the property through registered sale deeds vide Doc.No.1725 of 1993 dated 17.11.1993 to an extent of Acs.3.22 cents and Doc.No.1751 of 1993 dated 07.12.1993 to an extent of Acs.3.21 cents and both sale deeds were registered in the Sub-Registrar, Gudur, Kurnool District, *inter alia*, it is stated that the vendors of the above said property, in turn, purchased it from inamdars. The petitioner contends that if the respondents believe the petitioner to be an encroacher, they must follow the procedure as outlined in Section 83(2) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

2. The counter affidavit states that the land in Survey No.328, located in Kondapuram Revenue Village (Mudumala), C.Belagal Mandal, Kurnool District, is owned by Sri Eswara Anjaneya Swamy

Devasthanam, which is the sole owner of the land. There is a record in the RSR confirming this ownership, indicating that the petitioner does not possess any rights or title to the property. Additionally, it is mentioned that the petitioner cannot request any direction under Section 83 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, (for short, hereafter called as 'Act 30 of 1987')

3. The respondents have not provided any document to support their claim that the land in Sy.No.328 is owned or belongs to Sri Eswara Anjaneya Swamy Devasthanam, except a bald assertion in the counter affidavit. If the respondents contend that the property is belongs to the Endowments Department, they must adhere to the procedures outlined in Section 83 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

4. With the above said direction, the Writ Petition stands disposed of. There shall be no order as to costs.

As a sequel thereto, interlocutory applications pending if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 17.06.2026

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THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

Writ Petition No.21206 of 2015

17.06.2026

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