



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3329]

THURSDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 4138/2026

Between:

1.E SATYANARAYANA, S/O E.V.SUBRAHMANYA SARMA, AGED ABOUT 76 YEARS, OCC ADVOCATE, R/O D.NO.6-486, BABU AGRAHARAM, SRIKALAHASTHI TOWN, TIRUPATI DISTRICT.

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, ENDOWMENTS DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT,522237

2.THE COMMISSIONER, ENDOWMENTS DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, GOLLAPUDI, VIJAYAWADA.521225

3.SRI KALAHASTHEESWARA SWAMIVARI DEVASTHANAM, REP. BY ITS EXECUTIVE OFFICER, SRIKALAHASTHI, TIRUPATI DISTRICT.517644

...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 topleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the proceedings in Rc.No.Temple/6707/2022, dated 15.1.2026 issued by the 3rd respondent whereby permitting only 5 members of the petitioner family as Ubhayadars to perform samprokshanam and pooja in Modati Kala Abhishekam on

Mahasivaratri day i.e., 15.2.2026, without allowing 10 family members as was being continued from 24.09.1990, is contrary to the order/pharman dated 24.9.1990 and violative of Articles 14 and 25 of the Constitution of India and consequently direct the 3rd respondent to continue permitting 10 family members of the petitioner along with him to perform samprokshanam and pooja in Modati Kala Abhishekam on every Maha Sivaratri Day as per order/pharman dated 24.9.1990 and in accordance with the judgment and decree dated 5.3.2013 passed in O.S.No.28 of 2010 on the file of the Court of the Principal Junior Civil Judge, Srialahasthi and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3rd respondent to permit the 10 family members of the petitioner also along with him to perform samprokshanam and pooja in Modati Kala Abhishekam on Maha Sivaratri day i.e., 15.2.2026 by permitting them to sit in the sanctum sanctorum of Sri Kalahastheeswaraswamy Temple as per order/pharman dated 24.9.1990 and the judgment and decree dated 5.3.2013 passed in O.S.No.28 of 2010 on the file of the Court of the Principal Junior Civil Judge, Srialahasthi, by suspending the proceedings in Rc.No.Temple/6707/2022, dated 15.1.2026 issued by the 3rd respondent in so far as restricting 5 persons is concerned, pending disposal of the writ petition and pass

Counsel for the Petitioner:

1.KISHORE KUMAR.A

Counsel for the Respondent(S):

1.GP FOR ENDOWMENTS

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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ORDER:

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings in Rc.No.Temple/6707/2022, dated 15.01.2026 issued by the 3rd respondent whereby permitting only 5 members of the petitioner family as Ubhayadars to perform samprokshanam and pooja in Modati Kala Abhishekam on Mahasivaratri day i.e., 15.2.2026, without allowing 10 family members as was being continued from 24.09.1990, is contrary to the order/pharman dated 24.09.1990 and violative of Articles 14 and 25 of the Constitution of India and consequently direct the 3rd respondent to continue permitting 10 family members of the petitioner along with him to perform samprokshanam and pooja in Modati Kala Abhishekam on every Maha Sivaratri Day as per order/pharman dated 24.9.1990 and in accordance with the judgment and decree dated 05.03.2013 passed in O.S.No.28 of 2010 on the file of the Court of the Principal Junior Civil Judge, Srikalahasthi and pass such other order.”

2. Heard learned counsel for the petitioner, learned Government Pleader for respondent Nos.1 and 2 and the learned Standing Counsel for respondent No.3.

3. Learned counsel for the petitioner submits the 3rd respondent is not permitting the entire family members of the petitioner's family as Ubhayadars to perform Samprokshanam and Pooja in Modati Kala Abhishekam on Mahasivaratri day i.e., 15.02.2026, which is a customary practice since 1990. In view of the proceedings dated 15.01.2026, allowing only five members of the

family is contrary to the orders of the Tribunal dated 24.09.1990.
Hence, the Writ Petition.

4. On the other hand, learned Standing Counsel for respondent No.3/Executive Officer furnished written instructions dated 11.02.2026, wherein it is stated as follows:

“In view of the above, it is submitted that the Devasthanam has no objection to permitting the petitioner and his family members to participate in the Samprokshanam and Pooja in Moidati Kala Abhishekam on the ubhayam day, i.e., 15.02.2026. Further, the Devasthanam has not denied permission for 10 family members to participate in the said worship.”

5. Having regard to the submissions made by both the learned counsel and in view of the clear and categorical instructions issued by respondent No.3, it is observed that the claim of the petitioner to perform Samprokshanam and Pooja in Modati Kala Abhishekam on Mahasivaratri day i.e., 15.02.2026 would be considered and to be allowed.

6. Therefore, the grievance of the petitioner was redressed. Accordingly, the Writ Petition is disposed of directing respondent No.3 to permit the petitioner and his family members to perform Samprokshanam and Pooja in Modati Kala Abhishekam on Mahasivaratri day i.e., 15.02.2026 as per the order/pharman dated

24.09.1990 and other directions or orders if any. There shall be no order as to costs.

6. Learned Standing counsel for respondent No.3 is directed to inform the order of this Court to respondent No.3.

As a sequel miscellaneous application, pending, if any, shall also stand closed.

12.02.2026
TPS

VENKATESWARLU NIMMAGADDA, J

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12.02.2026

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