



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

[3330]

**TUESDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

**PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

WRIT PETITION NO: 6694/2026

Between:

1. PV SATYA NARAYANA CHARYULU, S/O. PLN ACHARY, AGED 67 YEARS, OCC. RETD. GOVERNMENT EMPLOYEE, R/O. FLAT NO. 404, SRI ADITHYA KONDAPALLY RESIDENCY NEAR R AND B JUNCTION, CANTONMENT PO, VIZIANAGARAM - 535003.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVT, OF A.P., ENDOWMENTS DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT - 522503.
2. THE COMMISSIONER, ENDOWMENTS DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, GOLLAPUDI, VIJAYAWADA - 521225.
3. DEPUTY COMMISSIONER, ENDOWMENTS DEPARTMENT, TURNER CHOWTRY, NEAR JAGADAMBA JUNCTION, VISHAKHAPATNAM - 530001.
4. THE ASSISTANT COMMISSIONER, ENDOWMENTS DEPARTMENT, OPP SRI MUTYALAMMA TEMPLE, BALAJEE NAGAR, THOTAPALEM, VIZIANAGARAM- 535003.
5. THE EXECUTIVE OFFICER, (OF SRI VARADARAJA SWAMY TEMPLE) BEHIND SRI PYDITALLI AMMAVARI TEMPLE, BOBBIN ROAD, RAJAM, VIZIANAGARAM DISTRICT - 532127.
6. PEESAPATI SATYANNARAYANA CHARYULU, AGED AROUND 75 YEARS, ACTING AS PRESENT FOUNDER TRUSTEE, R/O. FLAT 103, VINAYGHAR APARTMENTS, DOOR NO.9-21-1, CBM. COMPOUND, ASILMETTA, VISAKHAPATNAM-530003.
7. PEESAPATI APPALA GOPALACHARYULU ARCHAKA SWAMY, S/O. P. APPALACHARYULU, AGEDIAROUND 58 YEARS, R/O. D.NO.3-3, TEMPLE STREET, RAJAYYAPETA

- VILLAGE, RAJAM MANDAL, VIZIANAGARAM DISTRICT-532127.
8. SAMUDRALA PARDHASARADHI, S/O. NOT KNOWN, AGED.AROUND 70 YEARS, OCC. EX-VRO, R/O. TEMPLE STREET, RAJAYYAPETA VILLAGE, RAJAM MANDALAM, VIZIANAGARAM DISTRICT-532127.
 9. ANUMANCHIPALLI NAGARAJU, AGED.AROUND 50 YEARS, ARCHAKA SWAMY, SRI VARADARAJA SWAMY TEMPLE , TEMPLE STREET, RAJAYYAPETA, RAJAM MANDAL, VIZIANAGARAM DISTRICT-532127.
 10. PEESAPATI RAGHAVACHARYULU, AGED.AROUND 50 YEARS, S/O LATE PEESAPATI PANDURANGA CHARYULU MIG-87, APHB COLONY, BABAMETTA, VIZIANAGARAM-535002.
 11. PEESAPATI VENKATESWARLU, S/O. P. VARADACHARYULU, AGED.AROUND 60 YEARS, R/O. PLOT NO. 122, K.L.PURAM, SAIKEERTHI NAGAR, VIZIANAGARAM-535003.
 12. P V T RAGHAVACHARYULU, PLOT NO.227, SAI KEERTHANA NAGAR, OPP . NEW WATER TANK K.L.PURAM, VIZIANAGARAM _535003
 13. SRIMATTIRUMALA RANGANADHA SWAMY LYYAVALAGARLU, S/O. DESIKACHARYULU, AGED.AROUND 65 YEARS, SRI VAISHNAVA ACHARYA PEETHAM, PANASALAVALASA, RAJAM MANDALAM, VIZIANAGARAM DISTRICT-532127
 14. SAMANTULA NAGESWARA RAO, S/O. S. SURYANARAYANA, AGED.AROUND 55 YEARS, R/O. DOOR NO.8-9, RAJAYYAPETA VILLAGE RAJAM MANDALAM, VIZIANAGARAM DISTRICT-532127.
 15. SAMANTULA APPALA NAIDU, S/O. GOWRI NAIDU, AGEDIAROUND 70 YEARS, R/O. D.NO. 1-21, PEDDAVEEDHI, RAJAYYAPETA VILLAGE, RAJAM MANDALAM, VIZIANAGARAM DISTRICT-532127.
 16. SAMANTULA TAVITI NAIDU, S/O. SRI APPALA NAIDU, AGED.AROUND 40 YEARS, R/O. D.NO.1-23, PEDDAVEEDHI RAJAYYAPETA VILLAGE, RAJAM MANDAL, VIZIANAGARAM DISTRICT-532127.
 17. RAGHUMANDALA GANAPATHI, S/O. SRI RAMI NAIDU, AGEDIAROUND 40 YEARS , R/O. D.NO.1-1, RAJAYYAPETA VILLAGE, RAJAM MANDAL, VIZIANAGARAM DISTRICT-532127

...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 a Writ, Order, or direction, more in the nature of a Writ of Mandamus, declaring the impugned proceedings of the 3rd Respondent vide Order No. 2/2009 B2 Jdl dated.- 24- 01-2009 in O.A. No. 46/2006 as illegal, arbitrary, unjust, violative of natural justice, and contrary to the Endowments Act, 1987, and consequently direct the Respondents 2 and 3 to review the order under Section 87(1)(h) of the Act, recognize the Petitioner as an eligible member of the founder's family under Explanation 11 to Section 17(1) of the Act, appoint the Petitioner as founder trustee under the proviso to Section 17(1) of the Act, 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 pleased to direct the Respondents 2 to 3 to forthwith stay the operation of the impugned 2009 order and entrust interim management to the Endowments Department under Section 87(2) pending disposal of the main Writ Petition, to prevent further encroachments and mismanagement, and pass

Counsel for the Petitioner:

1.MATCHA HARIKA

Counsel for the Respondent(S):

1.GP FOR ENDOWMENTS

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 6694 of 2026

ORDER:

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

“... to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the impugned proceedings of the 3rd respondent vide order No.2 of 2009 B2 Jdl, dated 24.01.2009 in O.A.No.46 of 2006 as illegal, arbitrary, contrary to the Endowments Act, 1987 and consequently direct the respondent Nos.2 and 3 to review the order under Section 87(1)(h) of the Act, recognizing the petitioner as an eligible member of the founder’s family under explanation II to Section 17(1) of the Act and appoint the petitioner as founder trustee under the proviso to Section 17(1) of the Act.....”

2. The brief facts of the case are that the 6th respondent herein filed an application under Section 87(1) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act 30 of 1987) (for short hereinafter called as ‘the Act’) to declare him as founder trustee to Sri Sri Kanchi Varadaraja Swamy Temple (for short hereinafter called as ‘temple’), Rajayyapeta village, Rajam Mandal, Srikakulam District before the 3rd respondent/ Deputy Commissioner, Endowments Department. The said application is allowed by the 3rd respondent vide order dated 24.01.2009. The said order was under challenge in the present Writ Petition after lapse of 17

years. At para No.6 of the affidavit filed in support of the Writ Petition, it is stated that the impugned order dated 24.01.2009 declared the 4th respondent as a 'member from the founder family' based solely on his averments and one-sided statements, without verifying other eligible members from the family.

3. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Endowments.

4. Learned Government Pleader for Endowments submits that against the orders of the 3rd respondent/ Deputy Commissioner dated 24.01.2009, an appeal is preferable under Section 88 of the Act. The learned Government Pleader for Endowments further submits that in order to avoid the delay, the present Writ Petition is filed and further submits that the petitioner is not stated any reasons in filing the present Writ Petition after lapse of 17 years.

5. On perusal of the affidavit filed in support of the Writ Petition, the petitioner has not stated any reason in filing the present Writ Petition after lapse of 17 years and the only contention is that no notice was issued to the petitioner before declaring the 6th respondent as founder trustee of temple. Having satisfied with contention raised by the learned Government Pleader, this Court is not inclined to entertain the present Writ Petition after lapse of 17 years and admittedly the 6th

respondent is lineal descendant of the founder trustee of institution Sri Sri Kanchi Varadaraja Swamy Temple.

6. No doubt with the extent of High court power under Article 226 of the Constitution of India has wide powers to exercise its discretion, such as when alternative efficacious remedy is available to the writ petitioner, that does not mean that it would issue a writ which may be inconsistent with the legislative intent regarding the dispensation explicitly prescribed under section 88 of Act 30 of 1987 after lapse of 17 years from the date of impugned order. That would render the legislative scheme and intention behind the stated provision otiose. Be that as it may, since the statutory period specified for filing of appeal had expired long back beyond 17 years, without substantiating the plea about inability to file appeal within the prescribed time, no indulgence could be shown to the writ petitioner at all.

7. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date : 16.06.2026

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54

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 6694 of 2026

Date : 16.06.2026

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