

**WRIT APPEAL NO: 274 of 2025**

Tirumala Tirupati Devasthanam

...Appellant

Vs.

Venkati Veera Raghava Reddy and others

...Respondents

Advocate for Appellant : Sri C. Srinivasa Baba

Advocate for Respondents : Sri Sivaprasad Reddy Venati,
learned Government Pleader for
Endowments.**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE R. RAGHUNANDAN RAO****DATE : 20th March 2025****P C :**

The present Writ Appeal has been preferred against the judgment and order dated 31.12.2024 passed in Writ Petition No.4168 of 2013.

2. It appears that certain properties were gifted to Tirumala Tirupati Devasthanam (T.T.D.) as early as on 14.02.1979. Successors in interest of the donor raised certain disputes. Suits were filed in various Courts within the jurisdiction of the Courts in Tamilnadu. Subsequently, got dismissed not on merits but in default. In the interregnum, it appears that there was some agreement between the T.T.D. and the parties who were agitating the issues before various Courts. This agreement had preceeded the dismissal of the suits in the Courts.

3. It appears that the private entities are now seeking enforcement of the agreement entered into between them and the T.T.D. According to the provisions of Section 89(1) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short, "the Act"), since no compromise can be entered into except with the previous sanction of the Commissioner of Endowments, it appears that the Government constituted a Committee and in that regard, G.O.Ms.No.467, Revenue (Endowments.III) Department, dated 01.04.2009, was issued. Since the Committee was not convening its meetings, this led the petitioner to file a petition in which the order impugned had been passed and directions were issued to respondent Nos.3, 4 and 5 in the writ petition, who were members of the Committee constituted in terms of G.O.Ms.No.467, dated 01.04.2009, to convene an appropriate meeting and consider the proposal for which the Committee was constituted.

4. Learned counsel for the appellant submits that the direction to convene a meeting is a direction which was not at all warranted inasmuch as there was no pending issues which could have been resolved or gone into by the Committee.

5. On a reading of Section 89 of the Act, it can be seen that no suit, application or appeal pending before a Court, which relates to a Charitable or Religious Institution or Endowment, can be withdrawn or compromised by the trustee or any other person in charge of the management of such Institution or Endowment, except with the previous sanction of the Commissioner. The

Government had issued G.O. as early as on 01.04.2009 constituting the Committee while the suits were still pending before the Courts at Chennai. Despite the constitution of the Committee, it appears that no meeting was convened by the Committee. In the interregnum, it appears that all the suits that were filed against T.T.D. were dismissed for default. Applications for restoring the said suits were also dismissed and the litigation before the Courts, thus, appears to have attained finality. In the meantime, since there was an agreement executed between the parties and with a view to enforce that the petitioner Dharmasala Society filed a petition seeking convening an appropriate meeting by the Committee to consider various aspects relating to the agreement. By virtue of the direction impugned, the members of the Committee have been directed to convene a meeting and consider the proposal.

6. Learned counsel for the appellant would submit that such a direction is unsustainable in law inasmuch as there is no suit, application or appeal pending before a Court pertaining to the property in question which could be either withdrawn or compromised by any of the parties. It is, thus, stated that the exercise of convening a meeting by the Committee and subsequent action by the Commissioner of Endowments would be an exercise in futility. If at all there was any right vested in the petitioner/respondent No.1 herein, appropriate independent proceedings would have to be initiated before the Court of law.

7. We are quite convinced by the arguments advanced by the learned counsel for the appellant that the provisions of Section 89 of the Act would come into play only if there was a subsisting litigation which requires to be withdrawn or compromised for which alone the Commissioner in terms of Section 89 of the Act would be required to give his previous sanction. In the instant case, the Committee's recommendations would be now an exercise in futility inasmuch as there would be no power with the Commissioner which could be exercised in regard to any matter which falls outside the purview of Section 89 of the Act.

8. Be that as it may, we are of the opinion that the judgment and order impugned is unsustainable and the same is, accordingly, set aside.

9. Accordingly, the Writ Appeal is allowed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

DHIRAJ SINGH THAKUR, CJ

R. RAGHUNANDAN RAO, J

AMD

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**HON'BLE MR. JUSTICE DHIRAJ SINGH THAKUR, CHIEF JUSTICE
&
HON'BLE MR. JUSTICE R. RAGHUNANDAN RAO**

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Dt: 20.03.2025

AMD