

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF APRIL

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 8079 OF 2024



Between:

L Aruna, W/o. L. Jayarami Reddy, Aged about 60 years, R/o. Renigunta Road,
Tirupati, Tirupati District

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary,
Endowments Department, A.P. Secretariat, Velagapudi, Amaravati,
Guntur District
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada
3. Sri Swamy Hathiramjee Mutt, Gandhi Road, Tirupati, Rep. by its
Administrative Officer,
4. The Commissioner and Inspector General, Stamps and Registration
Department, Government of Andhra Pradesh at Vijayawada
5. The District Collector, Tirupati District at Tirupati
6. The District Registrar, Stamps and Registration Department, Tirupati
District at Tirupati

Respondents

Petition under Article 226 of the Constitution of India is filed 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 mostly one which is in the nature of a Writ of Mandamus declaring the action of the Respondents in not deleting an extent of Ac 0.37 cents in Sy.No.266/1 of Tirupati Village,

Tirupati Urban Mandal, Tirupati District belonging to the Petitioner from the list of prohibited properties maintained in the office of 6th Respondent as illegal, irregular, arbitrary, unjustified, unconstitutional, violative of Order, dt.2.5.2018 in W.P.No.28345/2007 and unsustainable and direct the Respondents to remove the above property from the list of prohibited properties immediately.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents not to dispossess the Petitioner from an extent of Ac.0.37 cents in Sy.No.266/1 of Tirupati Village, Tirupati Urban Mandal, Tirupati District, pending disposal of WP 8079 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri.P.Veera Reddy, learned Senior Counsel, appearing on behalf of SRI.RAMAKRISHNA AKURATHI Advocate for the Petitioner, Assistant Government Pleader for Endowments for Respondent Nos.1 & 2, Sri.T.V.S.Kumar, Standing Counsel for Respondent No.3 and Government Pleader for Stamps & Registration for Respondent Nos.4 to 6; the Court made the following.

ORDER:

Heard Mr.P.Veera Reddy, learned Senior Counsel appearing on behalf of the petitioner, who made submissions with reference to the orders dated 02.5.2018 allowing the Writ Petition No.28345 of 2007. He contends that the said order has become final and despite the same, the subject matter property is being continued in the Prohibited Category

List. He submits that the inaction on the part of the respondents, more particularly the 2nd respondent, in deleting the subject matter property from the Prohibited Category List is unjust, arbitrary, etc. He also submits that the petitioner is in possession of the 'subject matter property and unless appropriate orders are passed, the petitioner would suffer serious prejudice and irreparable loss.

The learned Assistant Government Pleader for Endowments made submissions by placing reliance on the orders of the Hon'ble Division Bench dated 29.3.2023 in Writ Petition (PIL) No.70 of 2022 and contends that the petitioner has to approach the Endowments Tribunal for deletion of the subject matter property from the Prohibited Category List.

The learned counsel for the 3rd respondent seeks time to secure instructions and file counter.

Considering the submissions made and perusing the order dated 02.5.2018 referred to supra, there shall be a direction to maintain status quo in respect of the subject matter property existing as on today.

List the matter on 01.7.2024 for filing counters of the concerned respondents.

AS Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For AS

SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Guntur District
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada

3. The Administrative Officer, Sri Swamy Hathiramjee Mutt, Gandhi Road, Tirupati.
4. The Commissioner and Inspector General, Stamps and Registration Department, Government of Andhra Pradesh at Vijayawada
5. The District Collector, Tirupati District at Tirupati
6. The District Registrar, Stamps and Registration Department, Tirupati District at Tirupati (1 to 6 by RPAD)
7. One CC to SRI.RAMAKRISHNA AKURATHI Advocate [OPUC]
8. Two CCs to GP for Endowments, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP for Stamps & Registration, High Court of Andhra Pradesh. [OUT]
10. One CC to Sri.T.V.S.Kumar, Standing Counsel (OPUC)
11. One spare copy

SRL

HIGH COURT

NJS,J

DATED:23/04/2024

NOTE: LIST THE MATTER ON 01.7.2024

ORDER

WP.No.8079 of 2024

STATUS QUO

