

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE: W.P.No.12383 of 2023

PROCEEDING SHEET

Sl.No.	DATE	ORDER	Office Note
01.	09.05.2023	<u>BKM, J</u> Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for the respondent Nos.1 to 6. 2. The learned Government Pleader for Home takes notice for the respondent Nos.7 to 10. The name of the learned Standing Counsel may be printed for the respondent Nos.11 and 12. 3. Learned counsel for the petitioner is permitted to implead the Tirumala Tirupathi Devasthanam as one of the party respondents to this Writ Petition. 4. The grievance of the Writ Petitioner is that the respondents are resorting to demolish the structures belonging to lord Sri Venkateshwara temple, Vambay Colony, Bhanoji Thota, Pedagantayada, Visakhapatnam District, without following the due procedure. 5. The learned counsel for the petitioner submits that the said temple is situated in	

		Survey No.274, Vambay Colony, Block No-7, Bhanoji Thota, Gajuwaka, Visakhapatnam District. The petitioner is a Charitable trust. It was established in the year 2018 and it is meant for the development of temple activities. In the left over land of Survey No.274 on the repeated requests of the colony members, the then District Collector of Visakhapatnam District orally permitted the colony people to construct the temple in it. Around 10 years back, all the colony members together established the idol of lord Sri Venkateshwara and they have been performing pujas as per the rituals. Miraculously without any human intervention, a group of Star Tortoises there and surrounded the idol. This news was spread and huge number of devotees started visiting the temple for worshipping the diety. 6. The petitioner is also taking care of the regular puja sevas and providing Annadanam in the temple premises on every Saturday. While so, one of the devotees had a dream experience in getting the message to build a temple for the said diety in a proper manner. Then the task of construction of the temple has been taken over by the petitioner's Trust with the help of large number of devotees. Accordingly, the temple was designed by a famous Sthapati by name	
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		Dr. Chamarti Bala Bhaskaran Sthapati. The temple plans were made ready and construction is in progress. For the supply of idols as per the required measurements the Tahsildar, Gajuwaka also placed a letter to the Executive Officer, Tirumala Tirupati Devasthanam for supply of the required number of idols with different sizes as advised by the Sthapati and the other Agama Pandits. Accordingly, they are on the way to reach the destination, for installation of the same in the temple at appropriate time on an auspicious Muhurtham that may be fixed by the Agama Pandits and other related scholars. Whileso, the respondent Officials on 04.05.2023 at midnight at 1.00 A.M, specifically the respondent Nos.5, 6, 9, 10 and 12 along with the other staff came to the temple premises and partly demolished the Vantasala and Gosala structures. At that stage, the petitioner along with the other devotees protested further demolition of the structures and thereby prevented the respondent officials from proceeding further. 7. On the other hand, the learned Assistant Government Pleader seeks time to file a detailed counter. 8. In view of the above said facts and circumstances, as the petitioner's trust seeks to	
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		proceed with the construction of the above said temple and the photographs filed disclose that there are demolitions - in part of the structures of the above said temples, the same shall not be continued, without following the due process of law, until further orders. The regular puja activities which are already in practice shall proceed as it is including nitya dhoopa, deepa naivedyam pending further orders. 9. Post the matter after summer vacation-2023. In the mean while, the respondents shall file their counter. MSI BKM, J	
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