

Date of reserved for orders :

Date of pronouncement : 30.06.2026

Date of uploading :

APHC010237252026



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

[3330]

TUESDAY, THE 30th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 13766/2026

Between:

1.VAKA SRINIVASULU REDDY, S/O SUBBARAMI REDDY, AGED ABOUT 58 YEARS, OCC CULTIVATION, R/O DOOR NO. 7-24, DONDAPADU, H/O PALURU VILLAGE, KANDUKURU MANDAL, SPSR NELLORE DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, ENDOWMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

2.THE COMMISSIONER, ENDOWMENTS DEPARTMENT, ONE CENTER, GOLLAPUDI, VIJAYAWADA RURAL MANDAL, NTR DISTRICT. .

3.SRI PUSHPAGIRI MUTT, KADAPA, REP. BY ITS MANAGER, HAVING OFFICE AT DOOR NO. 42/372- 5 AND 6, BHAGYANAGAR COLONY, JAYANAGAR, KADAPA, KADAPA DISTRICT

...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 to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents in issuing

Notice vide SPM 293/2026 dated 16-03-2026 served to the petitioner on 22-4-2026, directing to vacate the land admeasuring Ac. 3-00 cents in Survey No. 73 of Paluru Village, Kandukuru Kandal, SPSR Nellore District and not considering the representation of petitioner in terms of the section 82 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 and rules made there under, as illegal, arbitrary and violate of the provisions of Endowment Act, 1987 and consequently, direct the respondents not evict the petitioner from the land admeasuring Ac. 3-00 cents in Survey No. 73 of Paluru Village, Kandukuru Kandal, SPSR Nellore District and to consider the application of petitioner as per section 82 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 and to pass

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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 respondents not to dispossess the petitioner from the land admeasuring Ac. 3-00 cents in Survey No. 73 of Paluru Village, Kandukuru Kandal, SPSR Nellore District by suspending the notice vide SPM No. 293/2026 dated 16- 03-2026 of 3rd respondent, pending disposal of the main Writ Petition and to pass

Counsel for the Petitioner:

1. SREENIVASA RAO VELIVELA

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**WRIT PETITION No.13766 OF 2026****ORDER:**

The present 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 action of respondents in issuing Notice vide SPM 293/2026 dated 16-03-2026 served to the petitioner on 22-4-2026, directing to vacate the land admeasuring Ac. 3-00 cents in Survey No. 73 of Paluru Village, Kandukuru Kandal, SPSR Nellore District and not considering the representation of petitioner in terms of the section 82 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 and rules made there under, as illegal, arbitrary and violate of the provisions of Endowment Act, 1987 and consequently, direct the respondents not evict the petitioner from the land admeasuring Ac. 3-00 cents in Survey No. 73 of Paluru Village, Kandukuru Kandal, SPSR Nellore District and to consider the application of petitioner as per section 82 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 and to pass...”

2. Heard Sreenivasa Rao Velivela, learned counsel for the petitioner and learned Government Pleader for respondents.

3. Discontented writ petitioner, aggrieved by the action of the respondents in issuing Notice SPM 293/2026 dated 16.03.2026, served on the petitioner on 22.04.2026, directing the petitioner to vacate the land measuring Ac. 3-00 cents in Survey No. 73 of Paluru Village, Kandukuru Mandal, SPSR Nellore District, filed the present petition. The petitioner contends that this action was taken without considering the representation made on 31.12.2025, in terms of

Section 82 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987, and the Rules made thereunder, and that this constitutes illegality, arbitrariness, and a violation of the provisions of the Endowments Act, 1987.

4. The petitioner's counsel asserts that the father of the petitioner, late Subbarami Reddy, has been the leaseholder of the land belonging to the third respondent Mutt, measuring Ac. 3-00 cents in Sy. No. 73/1 of Paluru Village, since 1978, and that the 2nd respondent authorised the 3rd respondent to sell the land vide proceedings in Rc. No. M/362643/91 dated 21.09.1993. Following the death of the petitioner's father, the petitioner has been continuing as the lessee. The petitioner's father had requested the 2nd respondent to permit the sale of the land, asserting his right to purchase it under Section 82(2) of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987, as he was a landless poor person holding Ac. 1.70 cents in Sy. No. 163/1.

5. Furthermore, it is stated that the A.P. Charitable and Hindu Religious Institutions and Endowments Lease of Agricultural Land Rules, 2003 (for short, hereinafter referred to as "the Rules"), outline the procedure for determining leases. The respondents cannot evict the petitioner or determine the lease without following the Rules. Additionally, it is stated that a representation was made on 31.12.2025 for extension of the lease, which was not considered prior to the issuance of the impugned notice dated 16.03.2026.

Hence, the learned counsel for the petitioner submits that it would suffice to direct the respondents to consider the representation dated 31.12.2025.

6. Despite the service of notice on respondent No.3, no appearance was made.

7. As the prayer is to dispose of the representation dated 31.12.2025, this Court is inclined to dispose of at the admission stage itself without going into the merits of the case.

8. In view of the above, the respondent No.3 is directed to examine the representation dated 31.12.2025 and pass appropriate orders and communicate the same after giving opportunity for personal hearing to the petitioner and complete the process as expeditiously as possible preferably within a period of four (4) weeks from the date of receipt of a copy of this order. The petitioner is directed to cooperate with the respondents. Till such time, the respondents are directed not to take any coercive steps in the matter.

9. Accordingly, the Writ Petition is disposed of. 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: 30.06.2026

PBS

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

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