

APHC010268832016



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

FRIDAY, THE SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 14889 OF 2016

Between:

1. Marreboyina Venkata Ramana, S/o. Gopala Rao, Aged 50 years, Occ : Pradhana Archaka, R/o.H.No. 7-97B, East Bazar, Penuganchiprolu (V & M), Krishna District.
2. Marreboyina Gopi Babu, S/o. Ramadasu, Aged:39 years, Occ:Upa Pradhana Archaka, R/o. H.No. 7-97A, East Bazar, Penuganchiprolu (V & M), Krishna District.
3. Marreboyina Gopala Rao, S/o. Ale, Aged :36 years, Occ : Mukya Archaka, R/o. H.No. 9-166, East Bazar, Penuganchiprolu (V & M), Krishna District.
4. Gunishetti Srinivasa Rao, S/o. Koteswara Rao, Aged : 42 years, Occ : Archaka, R/o. H.No. 9-32/1, East Bazar, Penuganchiprolu (V & M), Krishna District.
5. Nalluri Venkateswara Rao, S/o. Seethaiah, Aged : 54 years, Occ : Attender, R/o. H.No. 16-47, West Bazar, Penuganchiprolu (V & M), Krishna District
6. M.V.Gopalarao, S/o. Late M.Dasaratharamaiah, Aged : 57 years, Occ : Employee (AEO) R/o.1-187, Near Cinema Theatre, Penuganchiprolu (V & M), Krishna District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by it's Principal Secretary to Government, Revenue (Endowments) Department, A.P. Secretariat, Hyderabad-500 022.

2. The Government of A.P. Rep. by its Commissioner of Endowments, Endowment Department, Dharmika Bhavan, Tilak Road, Boggulakunta, Hyderabad-500 001.

3. Sri Tirupatamma Ammavari Devasthanam, Penuganchiprolu, Krishna District, Rep. by its Executive Officer.

...Respondents

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 an appropriate Writ order or direction more particularly, one in the nature of Writ of Mandamus, a) Declaring the Memo No.77160/ENDTS-I(2)/2000-3 dt.30.03.2015 of Respondent No.1 as communicated by Proceedings in Memo.No.C1/33991/2002 dt.08.05.2015 as bad, illegal, arbitrary, discriminative and contrary to Law violating Articles 14, 16, 21 of the Constitution of India and also contrary to proceedings of Respondent No.1 in Memo.77160/Endts.1(1)/2006 dt.29.06.2006, and set aside the same. b) Consequently direct the Respondents 1 to 3 to implement the pension scheme in terms of Memo.77160/Endts.1(1)/2006 dt.29.06.2006 of respondent No.1 and in terms of recommendation of Respondent No.2 in proceedings No.Rc.B1/33991/2002, dt.22.04.2014 by further directing the same to be paid to the employees of the 3rd respondent Institution retrospectively as consented by the Respondent No.3 w.e.f. 2004 c) and to pass

IA NO: 1 OF 2016(WPMP 18502 OF 2016)

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 suspend the operation of impugned proceedings in Memo No.77160/ ENDTS-I(2)/2000-3 dt.30.03.2015 of Respondent No.1 as communicated by Proceedings in Memo.No.C1/33991/2002 dt.08.05.2015 and consequentially direct the Respondents to implement the pension scheme in terms of Memo of 1st Respondent in

Memo.77160/Endts.I(1)/2006 dt.29.06.2006 forthwith to the employees of 3rd Respondent institution pending disposal of the above writ petition and to pass

Counsel for the Petitioners: W B SRINIVAS

Counsel for the Respondents: GP FOR ENDOWMENTS (TG)

The Court made the following order:

HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION No.14889 OF 2016

ORDER:

The instant writ petition has been filed by the petitioners under Article 226 of Constitution of India seeking the following main prayer:

“to issue an appropriate Writ Order or direction more particularly, one in the nature of Writ of Mandamus, a)Declaring the Memo No.77160/ENDTS-I(2)/2000-3 dt.30.03.2015 of Respondent No.1 as communicated by Proceedings in Memo.No.C1/33991/2002 dt.08.05.2015 as bad, illegal, arbitrary, discriminative and contrary to Law violating Articles 14, 16, 21 of the Constitution of India and also contrary to proceedings of Respondent No.1 in Memo.77160/Endts.I(1)/2006 dt.29.06.2006, and set aside the same. b) Consequently direct the Respondents 1 to 3 to implement the pension scheme in terms of Memo.77160/Endts.1(1)/2006 dt.29.06.2006 of respondent No.1 and in terms of recommendation of Respondent No.2 in proceedings No.Rc.B1/33991/2002, dt.22.04.2014 by further directing the same to be paid to the employees of the 3rd respondent Institution retrospectively as consented by the Respondent No.3 w.e.f. 2004 c)and to pass”

2. The grievance of the writ petitioners is that the petitioners 1 to 4 are archakas in 3rd respondent temple and petitioners 5 and 6 are working as secular employees in the very same 3rd respondent temple and they sought for pension scheme in terms of memo dated

29.06.2006 issued by 1st respondent vide Memo. 77160 / Endts.1(1)/2006.

3. When the matter is taken up for hearing, learned counsel for the petitioners fairly submits that the petitioners 5 and 6, who are secular employees in the 3rd respondent temple were retired from service and the respondent authorities also sanctioned the pension to them and they are getting pension. He also produced the relevant documents. The same was not disputed by learned Assistant Government Pleader for Endowments. Thereby, the cause in the writ petition does not survive for further adjudication so far as petitioners 5 and 6 are concerned. Accordingly, the writ petition is dismissed in respect of petitioners 5 and 6 only.

4. Learned counsel for the respondents 1 and 2 represented by learned Government Pleader fairly submits that after filing of the writ petition, Commissioner, Endowments Department, Andhra Pradesh, at Gollapudi issued R.C.No.C1/5456/2016, dated 07.01.2020, where under by considering the provisions as well as rules made under A.P.Charitable and Hindu Religious Institutions and Endowments Office Holders and Servants Service Rules 2000, passed the orders.

In nutshell, the 3rd respondent temple employees, i.e. the petitioners herein are entitled for pension benefits.

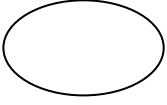
5. On the other hand, learned counsel for the petitioners submits that this Court in similar facts and circumstances passed orders in W.P.No.19242 of 2015 and prays to pass similar order in the present writ petition also.

6. Recording the said submission made by the learned counsel for the petitioners which was not opposed by learned Government Pleader for Endowments, the present writ petition is allowed in terms of the orders passed by this Court in W.P.No.19242 of 2015, so far as petitioners 1 to 4 are concerned. It is needless to mention that registry is hereby directed to annex the copy of common orders dated 03.05.2023 in W.P.No.19244 of 2015 and batch.

There shall be no order as to costs. Miscellaneous petitions pending if any, shall stand closed.

MAHESWARA RAO KUNCHEAM, J

Date:06.02.2026
Rns



THE HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION No.14889 of 2016

Date:06.02.2026

Rns