

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

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SRI PRASHANT KUMAR MISHRA
AND

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

WP(PIL). NO: 200 OF 2021

Between:

Madineni Uma Maheshwara Naidu, S/o. Madineni Chinnaparvathaiah,
Aged about 49 Yrs, Occ. Farmer, R/o. 9A-46A-99, WARD 09,
Kalyandurgam, Ananthapuramu, AP - 515 761. Mobile No.9640169999,
Email ID. uamaheswarnaidu999@gmail.com, umaheswarnaidu9@gmail.com
Aadhar No.8646 9980 9774, PAN Card No.AARPU1937H,
Bank A/c No.31572200098758 of Canara Bank, 13157-Kalyandurg-515761.

....Petitioner

AND

1. The State of Andhra Pradesh, Rep., by its Principal Secretary, Revenue (Endts.III) Department, Velagapudi, Amaravathi, Andhra Pradesh
2. The Tirumala Tirupathi Devasthanam, Rep by its Executive Officer, TTD, Tirupathi, Chittoor District
3. The Commissioner, Department of Endowments, Gopalapudi, Viayawada
4. B. Karunakara Reddy, S/o. Late B. Jayarami Reddy, Hindu, Aged about 64 years, Occ: M.L.A of Tirupahthi Constituency, R/o. Padmavatipuram, Tirupati, Chittoor District
(R-4 si impleaded as respondent vide orders passed in I.A No.3 of 2021 in WP (PIL) No.200 of 2021 dated 21.01.2022.

...Respondents

Petition under Art. 226 of the Constitution of India, 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 the Respondent No.1 in Nominating 52 Special Invitees to Tirumala Tirupati Devasthanams by giving privilege on par with the members of TTD Trust Board regarding Darshan and their tenure, through the Two GOs, vide (i).G.O.Rt.No.569, dated. 15/09/2021 of Revenue (Endts.III) Department and (ii).G.O.Rt.No.568, dated. 15/09/2021 of Revenue (Endts.III) Department, which is illegal, arbitrary action on the part of the 1st Respondent and also contrary to the Section 96 of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Acts, 1987, and also violation of Art. 25 of the Constitution of India and consequently set aside the two Government orders, Vide G.O.Rt.No.569, dated. 15/09/2021 of Revenue (Endts.III) Department and G.O.Rt.No.568, dated. 15/09/2021 of Revenue (Endts.III) Department in nominating the 52 Special Invitees to Tirumala Tirupati Devasthanam by giving privilege on par with the members of TTD Trust Board regarding Darshan.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to call for the record of nomination process of 81 members to the TTD Board to show explain in what field they are experts and how their nominations preserves the social, economic, religious and environmental character of the TTD as stated in their nomination orders, pending disposal of WP(PIL) No. 200 of 2021, on the file of the High Court.

IA NO: 2 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the two Government orders, Vide G.O.Rt.No.569, dated. 15/09/2021 of Revenue (Endts.III) Department and G.O.Rt.No.568, dated. 15/09/2021 of Revenue (Endts.III) Department in nominating the 52 Special Invitees to Tirumala Tirupati Devasthanam by giving privilege on par with the members of TTD Trust Board regarding Darshan, pending disposal of WP(PIL) No. 200 of 2021, on the file of the High Court.

The petition coming on for hearing and upon perusing the petition and affidavit filed herein and order of the High Court dated 22-09-2021 and upon hearing the arguments of Sri Y Balaji Advocate for the Petitioner, Sri S. Sri Ram Advocate General for Respondent Nos 1 & 3, and Sri S.S. Pasad Senior Counsel for Respondent No.2 and Sri CH. Siva Reddy, Advocate for Respondent No.4, the Court made the following:

The Court made the following ORDER:

(PROCEEDINGS THROUGH PHYSICAL MODE)

Learned counsel for the petitioners are allowed two weeks' time to file counter-affidavit to the memo filed by the State.

Post on 11.03.2022.

I.A.No.4 of 2021 in W.P. (PIL) No.200 of 2021 is an application to vacate the interim order dated 22.09.2021.

Learned counsel for the petitioners would submit that memo dated 15.02.2022 filed by the State along with Ordinance No.2 of 2022 dated 11.02.2022, is required to be answered; therefore, for the present, hearing of I.A.No.4 of 2021 may also be deferred.

By the interim order dated 22.09.2021, this Court observed that there being no provision for Special Invitees in Section 97 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, therefore, the impugned G.Os., appointing the impleaded respondent No.4- Sri B. Karunakara Reddy, deserve to be set aside.

By the aforesaid Ordinance, the State Government has inserted Section 97-C and 97-D, making a provision empowering the State to nominate Special Invitees to the Tirumala Tirupati Devasthanams Board and Special Invitees to Tirumala Tirupati Devasthanams, respectively.

The impleaded respondent No.4-Sri B. Karunakara Reddy is the peoples' representative for Tirumala area also, as he is the M.L.A. of Tirupati Assembly

Constituency. There is no allegation that he is disqualified to hold the post of Special Invitee for any other reason.

Considering the entire fact situation of the case, we direct that till parties are heard on I.A.No.4 of 2021, the impleaded respondent No.4- Sri B. Karunakara Reddy should be allowed to participate in the meetings/affairs of Tirumala Tirupati Devasthanams Board in the capacity of Special Invitee.

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Revenue (Endts.III) Department, State of A.P., Velagapudi, Amaravathi, Andhra Pradesh
2. The Executive Officer, Tirumala Tirupathi Devasthanam, TTD, Tirupathi, Chittoor District
3. The Commissioner, Department of Endowments, Gopalapudi, Viayawada (1 to 3 by RPAD)
4. One CC to Sri. Y Balaji Advocate [OPUC]
5. Two CCS to Sri S. Sri Ram, Advocate General, High Court of A.P., at Amaravati (OUT)
6. One CC to Sri S. Prasad, Senior Counsel, High Court of A.P., at Amaravati (OPUC)
7. One CC to Sri CH. Siva Reddy, Advocate (OPUC)
8. One spare copy

TVR

HIGH COURT

HCJ & NJS,J

DATED:22/02/2022

WP(PIL).No.200 of 2021

DIRECTION

