

APHC010408412025

IN THE HIGH COURT OF ANDHRA PRADESH



AT AMARAVATI

(Special Original Jurisdiction)



WEDNESDAY, THE SIXTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 20873 OF 2025

Between:

Rajesh Enterprises, Dwaraka Tirumala, Represented by its Proprietor
Chebolu Rajesh, S/o Rama Krishna, Aged about 37 Years, Occ Business,
R/o D.No.7-188, Dwarakatirumala Village and Mandal Eluru District

...Petitioner

AND

1. The State of Andhra Pradesh, Revenue (Endowments) Department,
Velgapudi, Secretariat Buildings, Amaravathi, Guntur District. Rep. by its
Principal Secretary.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada
3. Sri Brahamramaba Mallikarjuna Swamyvarla Devasthanam, Srisailam,
Nandyal 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 of direction more particularly one in the nature of writ of mandamus, declaring the action of the 3rd respondent in issuing proceedings vide Rc.No.E2/104/2023 dated 30.07.2025 in cancelling the license which was granted to the petitioner for sale of Cow based Products in the 3rd respondent temple as bad, illegal, arbitrary, abuse of power, violative of Articles 14, 19(1)(g) and 21 of Constitution of India and

violative of principles of natural justice and consequently set-aside the same by directing the respondents not to interfere with the business of the petitioner in relation to sale of Cow based Products in the 3rd respondent temple till the completion of the license period.

IA NO: 1 OF 2025

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 operation of the impugned proceedings issued by the 3rd respondent vide Rc.No.E2/104/202 3 dated 30.07.2025.

Counsel for the Petitioner: SRI D V SASIDHAR

Counsel for the Respondents No.1,2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: SRI T VENU GOPAL

The Court made the following order:



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

[3458]

WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 20873 OF 2025

Between:

1. RAJESH ENTERPRISES, DWARAKA TIRUMALA REPRESENTED BY
ITS PROPRIETOR CHEBOLU RAJESH, S/O RAMA KRISHNA, AGED
ABOUT 37 YEARS, OCC BUSINESS, R/O D.NO.7-188,
DWARAKATIRUMALA VILLAGE AND MANDAL ELURU DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REVENUE (ENDOWMENTS)
DEPARTMENT, VELGAPUDI, SECRETARIAT BUILDINGS,
AMARAVATHI, GUNTUR DISTRICT. REP. BY ITS PRINCIPAL
SECRETARY.

2. THE COMMISSIONER, ENDOWMENTS DEPARTMENT,
GOLLAPUDI, VIJAYAWADA

3. SRI BRAHAMRAMABA MALLIKARJUNA SWAMYVARLA
DEVASTHANAM, SRISAILAM, NANDYAL DISTRICT, REP. BY ITS
EXECUTIVE OFFICER

...RESPONDENT(S):

Counsel for the Petitioner:

1. D V SASIDHAR

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA**WRIT PETITION NO: 20873 OF 2025****The Court made the following order:**

The writ petition is filed challenging the proceedings dated 30.07.2025 issued by the 3rd respondent cancelling the license granted in favour of the petitioner for manufacture and sale of Cow-based Products in the 3rd respondent-Temple.

2. Heard Sri D.V.Sasidhar, learned counsel for the petitioner, learned Assistant Government Pleader for Endowments appearing for respondent Nos.1 & 2 and Sri T.Venu Gopal, learned Standing Counsel for respondent No.3.

3. It is contended that the 3rd respondent conducted an e-auction to grant a license for the manufacture and sale of products, at the respondent's temple, such as Dhoop Sticks, soaps, etc., made from cow-based materials such as cow dung, gomuthram procured from the goshala maintained by the temple, as well as used flowers from the temple. In the said auction, the petitioner was the highest bidder and obtained a license for 5 years, effective from 01.06.2023 to 01.06.2028, for an amount of Rs.14,46,680/- per annum per shop, with a stipulated enhancement of 30% in the rental amount every three years.

4. It is stated that a show-cause notice dated 15.06.2025 was issued to the petitioner alleging irregularities committed while selling the products, under

the guise of a license issued in favour of the petitioner. It is alleged that within the said licensed shop petitioner was found selling other products.

5. To the said show-cause notice, the petitioner submitted an explanation dated 23.06.2025. However, without considering the petitioner's explanation, the 3rd respondent proceeded to pass the impugned order cancelling the agreement entered into with the petitioner.

6. Learned counsel for the petitioner contends that the impugned order is not a reasoned order and has been passed in violation of principles of natural justice. The petitioner's explanation to show cause notice although was referred to in the order, it has not been adequately considered or dealt with on merits.

7. Sri T.Venu Gopal, learned Standing Counsel for respondent No.3 submits that the petitioner has been indulging in irregularities that deviate from the license/agreement conditions. Therefore, the 3rd respondent has decided to manufacture the said products in-house by engaging its staff. In light of the above, the 3rd respondent passed the impugned order cancelling the agreement entered into with the petitioner.

8. Considered the rival submissions.

9. A notice was issued to the petitioner, pointing out alleged irregularities and an explanation was called for to clarify the said irregularities. The petitioner submitted an explanation. However, the impugned order was

passed without considering the said explanation, stating that it was not satisfactory. It was further observed that the temple was proposing to manufacture the products on its own; no reasons were given in support of its finding that the petitioner's explanation was not satisfactory. As noted from the contents of the show cause notice, the nature of allegations made against the petitioner requires an enquiry to be conducted before arriving at any conclusion.

10. It further appears from the impugned proceedings that the same were passed based on a complaint received from one Raja, who, according to the petitioner, has been harassing the petitioner for extortion. The same was pointed out in the explanation; however, the said explanation was not considered, and was brushed aside as not satisfactory. Without conducting any enquiry into the allegations made against the petitioner, the impugned order was passed. The impugned order is thus not sustainable and is accordingly set aside.

11. However, the 3rd respondent is at liberty to issue a show-cause notice afresh, conduct enquiry and after providing an opportunity to the petitioner pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

12. In view of the foregoing, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- K J RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Revenue (Endowments) Department, Velgapudi, Secretariat Buildings, Amaravathi, Guntur District.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada
3. The Executive officer, Sri Brahamramaba Mallikarjuna Swamyvarla Devasthanam, Srisailam, Nandyal District.
4. One CC to SRI. D V SASIDHAR, Advocate [OPUC]
5. Two CCs to GP FOR ENDOWMENTS, High Court of Andhra Pradesh [OUT]
6. One CC to SRI. T. VENU GOPAL, Advocate [OPUC]
7. Two CD Copies

NM

HIGH COURT

DATED:06/08/2025

ORDER

WP NO. 20873 OF 2025



DISPOSING OF THE WP WITHOUT COSTS