

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO.28894 OF 2023

ORDER:

1. This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondent Nos.2 and 3 in conducting enquiry on the representation on 02.08.2023 for taking over the temple from the hands of the unofficial respondents who are archakas, is illegal, arbitrary and against law.”

2. Though the petitioner made several allegations against the respondents, during hearing, learned counsel for the petitioner requested this Court, without touching the merits of the case, to issue a direction to the respondents to dispose of the representation of the petitioner dated 02.08.2023.

3. Learned Assistant Government Pleader for Endowments, readily agreed to dispose of the representation of the petitioner dated 02.08.2023, if any pending with the authorities.

4. In view of the submission of the learned Assistant Government Pleader for Endowments, I need not decide the truth or otherwise of the allegations made in the petition. This Court is conscious that no such direction be issued, in view of the judgment

of the Apex Court in “***The Government of India v. P.Venkatesh***¹”, wherein the Apex Court held that such orders may make for a quick or easy disposal of cases in overburdened adjudicatory institutions. But, they do no service to the cause of justice. As the learned counsel for the petitioner himself requested to issue a direction to dispose of the representation dated 02.08.2023, I find no other alternative except to issue such direction.

5. In the result, the writ petition is disposed of, permitting the petitioner to submit all relevant papers, if any, along with copy of representation dated 02.08.2023 to Respondent No.2. After such submission, Respondent No.2 shall consider the same and pass appropriate orders, after providing reasonable opportunity of hearing to the petitioner as well as other stakeholders, if any, within a period of two months from the date of receipt of copy of this order, in accordance with law.

6. Consequently, miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE VENKATESWARLU NIMMAGADDA

Date: 23.04.2026

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¹ 2019 (8) SCALE 544