



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

[3458]

FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 28924 OF 2025

Between:

1.KAREDLA NAGESWARA RAO, S/O CHANDRA RAO, AGED ABOUT
65 YEARS, R/O D. NO. 4-3, BURUGUPUDIVILLAGE, KIRLAMPUDI
MANDAL, KAKINADA DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPLE
SECRETARY, ENDOWMENT DEPARTMENT, A.P. SECRETARIAT
BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

2.COMMISSIONER OF ENDOWMENTS, STATE OF ANDHRA
PRADESH GOHAPUDI, VIJAYAWADA

3.ASSISTANT COMMISSIONER OF ENDOWMENTS, KAKINADA

4.DEPUTY COMMISSIONER OF ENDOWMENT, KAKINADA

5.SRI VENKATESWARA SWAMY, VARI TEMPLE SRI PARAVASTHU
AJHAGHYA MANAVALLA JEEYAR SWAMY VARI MATAM REP. BY
ITS EXECUTIVE OFFICER, TALLURU, GANDEPALLI MANDAL,
KAKINADA 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 toPleased to issue a writ of mandamus or any other appropriate writ
order or direction that a) Declaring the action of the respondents taking steps

to dispossess the petitioner from the land to extent Ac. 2.16 cents in survey No. 186/4, situated at Marripaka village, Jaggampeta Mandal as illegal and in contravention of Rule 3 of AP Charitable and Hindu Religious Institutions and Endowment Lease of Agricultural Land Rules 2003. b) Declare the 5th respondent notice dated 10-06-2025 as illegal in contravention of the procedure contemplated under Rule 3, 4 and 5 of the AP Charitable and Hindu Religious Institutions and Endowment Lease of Agricultural Land Rules 2003 and also violation of principles of natural justice. c) Declare the action of the respondents taking steps to evict the petitioner in contravention of the procedure contemplated under Section 82, 83, 84 and 85 of AP Charitable and Hindu Religious Institutions and Endowment Act 1987. d) To directing the official respondents to conduct enquiry for declaring the petitioner as landless poor person/small farmer and provide all the benefits under Rules 3,4,5 and 6 of the AP Charitable and Hindu Religious Institutions and Endowment Lease of Agricultural Land Rules 2003 including permit the petitioner to purchase the land under the cultivation of the petitioner in respect of Ac. 2.16 cents in survey No 186/42, situated at Marripaka village, Jaggampeta Mandal, East Godavari District.

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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 Pleased to direct the official respondents not to dispossess the petitioner from the land under petitioner's cultivation for an extent of Ac. 2.16 cents in survey No. 186/42, situated at Marripaka village, Jaggampeta Mandal, Kakinada District, pending disposal of the enquiry under Section 82,83,84 r/w Rule 3,4,5 of AP Charitable and Hindu Religious Institutions Act and Rules and pending disposal of the writ petition and pass

Counsel for the Petitioner:

1. R K ACHARYULU

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA**WRIT PETITION NO: 28924 OF 2025****The Court made the following order:**

Heard Sri P.Girish Kumar, learned Senior Counsel appearing for Sri R.K.Acharyulu, learned counsel for the petitioner, learned Assistant Government Pleader for Endowments appearing for the respondent Nos.1 to 4 and Sri Kappera Koteswara Rao, learned Standing Counsel appearing for respondent No.5.

2. The grievance of the petitioner is that seeking recognition as landless poor under the provisions of Section 82 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (hereinafter referred to as 'the Act') the petitioner have approached the 3rd respondent and the same has not been considered. However, in terms of the orders passed by this Court in W.P.No.13921 of 2015 dated 08.01.2025, the respondents have now issued any proceedings under Section 83 of the Act. The petitioner has filed their objections, which are pending for consideration before the 5th respondent.

4. It is contended that the petitioner and his forefather has been in continuous occupation of the subject land as tenants since 1905.

5. Having regard to the same, Sri P. Girish Kumar, learned Senior Counsel appearing for Sri R.K.Acharyulu, learned counsel for the petitioner submits that before passing any orders under Section 83 of the Act, the petitioner applications dated 30.04.2015 and 16.07.2025 are pending before the 3rd

respondent seeking recognition as land less poor person as per the provisions of Section 82 of the Act and without considering the said application(s) in accordance with law, the respondents ought not to have issued impugned proceedings.

6. Sri Kappera Koteswara Rao, learned Standing Counsel appearing for respondent No.5 would contend that the said application under Section 82 has been filed after issuance of the impugned notice.

7. Having regard to the contentions advanced by the learned Senior Counsel and the learned standing counsel appearing for the 5th respondent, this Court deems it appropriate to dispose of the writ petition with a direction to the 3rd respondent to consider and pass appropriate orders on the application dated 16.07.2025, filed by the petitioner under Section 82 of the Act, within a period of two months from the date of receipt of a copy of this order.

8. The respondents are further directed not to pass any final orders under Section 83 of the Act pending consideration of the application filed by the petitioner under Section 82. The respondents are at liberty, if required, to pass appropriate order(s) pursuant to the impugned proceedings, only after passing orders on the application(s) filed by the petitioner under the provisions of Section 82 of the Act, in accordance with law.

9. Accordingly, 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.

JUSTICE KIRANMAYEE MANDAVA

Date: 24.10.2025
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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Date: 24.10.2025

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