

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

**THURSDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**



:PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR
AND
THE HONOURABLE SRI JUSTICE R.RAGHUNANDAN RAO**

WRIT PETITION NO: 32004 OF 2023

Between:

1. Kakani Hari Babu, S/o. Krishna Murthy, Age 49 years, Occ: Agriculture, R/o. Near Police Station centre, Penuganchiprolu, NTR District
2. Kolla Raghu Ramaiah, S/o. Ramaiah Late, Age 80 years, Occ: Agriculture, R/o. 18-47, Penuganchiprolu, NTR District

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Endowment) Department, Secretariat Buildings, Velagapudi, Guntur District, A.P
2. The Commissioner of Endowments, Government of Andhra Pradesh, Gollapudi, Vijayawada, NTR District
3. Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District Rep. by its Executive Officer
4. Sri Jangala Srinivasa Rao, S/o. Anaritharamulu, Age 39 years, Occ. Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
5. Smt Kakani Alekya, W/o. Gopaiah, Age 33 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
6. Sri Paladi Venkata Ramana, S/o. Bikshamaiah, Age 57 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
7. Sri Bezavada Srinivasa Rao, S/o. Buggaiah, Age 48 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
8. Smt Gaddati Mahalakshmi, W/o. Venkataramana, Age 57 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
9. Smt Cheekatimalla Venkata Ramana, W/o. John, Age 57 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District

10. Smt Bosetti Vijayalakshmi, W/o. Dhanakoteswararao, Age 46 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
11. Smt Chandala Tirupathamma, W/o. Venkatesh, Age 67 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
12. Smt Veerla Ramana, W/o. Narasimha Rao, Age. 42 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
13. Sri Kollipaka Ramu, S/ o. Kotaiah, Age 50 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
14. Sri Mariboina Durga Rao, S/o. Ali, Age 38 years, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI.D.V.SASIDHAR presented this Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in issuing amendment to Sec. 17 (3) by adding proviso to AP Charitable and Hindu Religious Endowments Act vide GOMs No. 25 dated 20.07.2020 and in issuing G.O.Rt.No.1137 dated 08.12.2023 constituting non hereditary board of trustees to the 3rd respondent temple as bad, illegal, arbitrary, abuse of power, violative of Sec. 15, 17, 18 and 19 of AP Charitable and Hindu Religious Institution and Endowments Act, 1987, The Andhra Pradesh Charitable and Hindu Religious and Endowments appointment of Trustee Rules, 1987 and Articles 14, 21 and 25 of Constitution of India and consequently set aside the GOMs No.25 dated 20.07.2020 and in issuing G.O.Rt.No.1137 dated 08.12.2023.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.D.V.Sasidhar Advocate for the Petitioners and GP for Endowments for Respondent Nos.1 & 2 and Smt.P.Padmavathi, Standing Counsel for Respondent No.3, directed issue of notice to the Respondent Nos.4 to 14 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Sri Jangala Srinivasa Rao, S/o. Anantharamulu, Occ. Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
2. Smt Kakani Alekya, W/o. Gopaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
3. Sri Paladi Venkata Ramana, S/o. Bikshamaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District

4. Sri Bezavada Srinivasa Rao, S/o. Buggaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
5. Smt Gaddati Mahalakshmi, W/o. Venkataramana, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
6. Smt Cheekatimalla Venkata Ramana, W/o. John, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
7. Smt Bosetti Vijayalakshmi, W/o. Dhanakoteswararao, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
8. Smt Chandala Tirupathamma, W/o. Venkatesh, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
9. Smt Veerla Ramana, W/o. Narasimha Rao, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
10. Sri Kollipaka Ramu, S/ o. Kotaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
11. Sri Mariboina Durga Rao, S/o. Ali, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 25.01.2024 on which date the case stands posted for hearing.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed 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 GOMs No. 25 dated 20.07.2020 issued by the 1st respondent, pending disposal of the Writ Petition No.32004 of 2023, on the file of the High Court.

IA NO: 2 OF 2023

Petition under Section 151 CPC is filed 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 G.O.Rt. No. 1137 dated 08.12.2023 issued by the 1st respondent, pending disposal of the Writ Petition No.32004 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Heard Sri D. V. Sasidhar, learned counsel for the petitioners.

Notice waived by the learned Government Pleader for Endowments for respondent Nos.1 and 2.

Smt P. Padmavathi, learned Standing Counsel for Tirupathamma Ammavari Devasthanam, Penuganchiprolu, waives service for respondent No.3.

Notice to respondent Nos.4 to 14.

Personal notice on respondent Nos.4 to 14 is permitted.

List on 25.1.2024.

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR
[Signature]
SECTION OFFICER

//TRUE COPY//

To,

1. Sri Jangala Srinivasa Rao, S/o. Anantharamulu, Occ. Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
2. Smt Kakani Alekya, W/o. Gopaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
3. Sri Paladi Venkata Ramana, S/o. Bikshamaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
4. Sri Bezavada Srinivasa Rao, S/o. Buggaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
5. Smt Gaddati Mahalakshmi, W/o. Venkataramana, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
6. Smt Cheekatimalla Venkata Ramana, W/o. John, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
7. Smt Bosetti Vijayalakshmi, W/o. Dhanakoteswararao, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
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9. Smt Veerla Ramana, W/o. Narasimha Rao, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
10. Sri Kollipaka Ramu, S/ o. Kotaiah, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District
11. Sri Marriboina Durga Rao, S/o. Ali, Non hereditary trust board member of Sri Tirupathamma Ammavari Devasthanam, Penuganchiprolu, NTR District. (1 to 11 by RPAD BY RPAD along with a copy of petition and affidavit)
12. One CC to SRI.D.V.SASIDHAR Advocate [OPUC]
13. One CC to Smt P. Padmavathi, Standing Counsel (OPUC)
14. Two CCs to GP for Endowments, High Court of Andhra Pradesh. [OUT]
15. One spare copy

SRL

HIGH COURT

HCJ & RRRJ

DATED:14/12/2023

NOTE: LIST ON 25.01.2024

NOTICE BEFORE ADMISSION

WP.No.32004 of 2023

