

APHC010646472025

**IN THE HIGH COURT OF ANDHRA PRADESH****AT AMARAVATI****[3458]****(Special Original Jurisdiction)**TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**PRESENT****THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA****WRIT PETITION NO: 33405/2025****Between:**

1.M JAYACHANDRA, S/O VENKATA RAMANAIAH, OCC.
BUSINESS, R/O DOOR NO.5/132, KAMSALI STREET,
PAPPULA STREET, STONEHOUSEPET, NELLORE CITY AND
DISTRICT

...PETITIONER**AND**

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF
ENDOWMENTS, SECRETARIAT, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT.

2.THE COMMISSIONER, DEPARTMENT OF ENDOWMENTS,
GOVERNMENT OF ANDHRA PRADESH,
GOLLAPUDI.VIJAYAWADA, NTR DISTRICT

3.THE JOINT COMMISSIONER, DEPARTMENT OF
ENDOWMENTS, GOVERNMENT OF ANDHRA PRADESH
VIJAYAWADA, NTR DISTRICT

4.THE DISTRICT ENDOWMENTS OFFICER, SPSR NELLORE
DISTRICT AT NELLORE

5.SRI MAHALAKSHMAMMA AMMAVARI TEMPLE, PAPPULA STREET, NELLORE CITY AND SPSR NELLORE DISTRICT, REP. BY ITS EXECUTIVE OFFICER

...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, Order, or Direction, more particularly in the nature of a Writ of Mandamus, declaring the action of the respondent No.5 in not considering representation dt. 18-11-2025 made by the petitioner, not to evict him by maintaining status-quo over the subject property until a due-process, final order under Section 83 of the A.P. Endowments Act is issued, or until the final disposal of this writ petition, by protecting the Petitioners tenancy rights from any coercive or summary eviction action and consequently declare that Eviction Notice No.1/2025 dated 15.10.2025, issued under Section 83 of the A.P. Endowments Act, is illegal, arbitrary, and unsustainable in law, having been issued without proper inquiry, without proper application of mind, and in disregard of the Petitioners long-standing tenancy, statutory permissions, and vested rights and to pass

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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 Respondents 2 to 5 not to evict the Petitioner by maintaining status-quo over the subject property until a due-process, final order under Section 83 of the A.P. Endowments Act is issued, or until the final disposal of this writ petition, by protecting the Petitioners tenancy rights from any coercive or summary eviction action and to pass

Counsel for the Petitioner:

1.K CHAKRADHARA SRINIVAS

Counsel for the Respondent(S):

1.K GOWTHAM S K K

2.GP FOR ENDOWMENTS

The Court made the following Order:

1. The instant writ petition is filed challenging the action of the 5th respondents in issuing the proceedings under Section 83 of The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short, "the Act, 1987).

2. Heard Sri K.Chakradhara Srinivas, learned counsel for the petitioner, learned Government Pleader appearing for the respondent Nos.1 to 4 and the learned Standing Counsel for Endowments appearing for the respondent No.5.

3. The grievance of the petitioner is to the proceedings of the 5th respondent issued under Section 83 of the Act. It is contended that a reply to those proceedings, was submitted on 20.10.2025 through his counsel. The petitioner apprehends that without passing any final orders on the proceedings issued as against the petitioner, the respondents are proposing to evict the petitioner from the subject land.

4. When the matter has been taken up for consideration, the learned Standing Counsel for the respondents would submit that, in the earlier proceedings dated 04.11.2010, the Commissioner of Endowments, the Executive Officer was granted permission to allow the petitioner to reconstruct the building with his personal funds and let out the same to the petitioner for a period of three (03) years on payment of monthly rentals. After completion of the said period, the petitioner shall vacate the subject premises. However, the petitioner without vacating, had continued in possession of the subject premises. Thus, notice under Section 83 of the Act, has been issued.

5. The petitioner contends that without considering the objections filed by the petitioner and passing final orders, in pursuance to the notice issued under Section 83 of Act, the respondents are proposing to evict the petitioner from the subject premises.

6. Having regard to the contentions of the both parties, this Court deems it appropriate to dispose of the writ petition directing the 5th respondent not to evict the petitioner till final order passed on the notice issued under Section 83 of the Act as against the petitioner.

7. With the above observations and direction, this writ petition is disposed of. There shall be no order as to costs.

Consequent thereto, miscellaneous petitions pending, if any,
shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date:02-12-2025.
JAK

274**THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA****WRIT PETITION NO: 33405/2025****Date: 02.12.2025**
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