

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE EIGHTH DAY OF SEPTEMBER TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY
WRIT PETITION NO: 14861 OF 2020

Between:

Shaik Hameed, S/o Shaik Mahaboob.

Petitioner

AND

1. The State of Telangana, rep. by its Principal Secretary, Endowment Department, Secretariat, Hyderabad.
2. The Telangana Endowment Tribunal, at Hyderabad. rep. by its Registrar, Tilak Road, Hyderabad.
3. Assistant Commissioner, Endowment Department. Ranga Reddy District, Tilak Road. Hyderabad.
4. Sri Ananta Padmanabha Swamy Temple, rep. by its Manager, Attapur village, Rajendranagar Mandal, Ranga Reddy District.

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 a Writ of Certiorari or any other appropriate writ and quash the judgment rendered by Honourable Administrative Member (K.Jyothi) in O.A.No.909 of 2011, dated 11/06/2020 on the file of the Telangana Endowment Tribunal. Hyderabad if necessary by setting aside the order of reference about the divergence in the judgments of the Honourable Chairman and Honourable Administrative Member of Telangana Endowment Tribunal. Hyderabad in O.A.No.909 of 2011 and further direct the respondents not to interfere with the possession and enjoyment of the petitioner over the schedule mentioned land in O.A.No.909 of 2011;

IA NO: 2 OF 2020:

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 to suspend the operation and effect of the judgment and order in O.A.No.909 of 2011, dated 11/06/2020 (rendered by the Honourable K.Jyothi, Administrative Member), pending disposal of the WP 14861 of 2020, on the file of the High Court.

IA NO: 1 OF 2020 :

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 to direct the 1st respondent not to take any decision/pass any order in O.A.No.909 of 2011, on the file of the Telangana Endowment Tribunal, Hyderabad, pending disposal of the WP 14861 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI VEDULA VENKATA RAMANA, Senior Counsel for SRI D B CHAITANYA Advocate for the Petitioner, GP FOR ENDOWMENTS for the Respondents 1 to 3, the Court made the following.

ORDER:

The petitioner challenges the order dated 11-06-2020 passed in OA No.909 of 2011 by the Administrative Member of the Telangana Endowment Tribunal, Hyderabad, wherein the Administrative Member delivered separate order by

allowing the OA, whereas the Chairman of the Tribunal vide separate order dismissed the OA.

Learned senior counsel Sri Vedula Venkataramana appearing for the petitioner submits that since there is divergence of opinion in the judgments, as per Rule 22 (2) of the Telangana Charitable and Hindu Religious Institutions and Endowment Tribunals Rules, 2010, a reference has been made by the Tribunal to the 1st respondent-State Government for resolving the difference of opinion. It is also stated that in WP No.40476 of 2018 the said Rule has been challenged as ultra-virus and unconstitutional. It is also stated that in another matter in WP No.17474 of 2019, in IA No.1 of 2019, this Court by order dated 16-08-2020 has suspended the operation of the order assed by the Administrative Member. In the circumstances, there shall be interim suspension of the impugned order.

List this writ petition along with connected WP Nos.40476 of 2018 and WP No.17474 of 2019.

//TRUE COPY//

Sd/- K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Endowment Department, Secretariat, Hyderabad.
2. The Registrar, Telangana Endowment Tribunal, Tilak Road, Hyderabad.
3. The Assistant Commissioner, Endowment Department, Ranga Reddy District, Tilak Road. Hyderabad.
4. The Manager, Sri Ananta Padmanabha Swamy Temple, Attapur village, Rajendranagar Mandal, Ranga Reddy District. (1 to 4 by RPAD)
5. One CC to SRI. D B CHAITANYA Advocate [OPUC]
6. Two CCs to GP FOR ENDOWMENTS, High Court Of Judicature at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

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DATED:08/09/2020

LIST THIS WRIT PETITION ALONG WITH
CONNECTED WP NOS.40476 OF 2018
AND WP NO.17474 OF 2019.

ORDER

WP.No.14861 of 2020

INTERIM SUSPENSION



A handwritten signature in black ink, consisting of a large, stylized 'N' shape.