

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 14913 OF 2026

Between:

Sri Lakshmi Narasimha Swamy Warthaka Welfare Sangam, a society registered under the societies registration act, registered vide no. 2370 of 1989, Rep. by its General Secretary A.Narsimha Rao, S/o. A. Kistaiah, 67 years, Office at Yadagirigutta (up hills), Yadadri- Bhuvanagiri District - 508115

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principle Secretary, Endowments Department Secretariat Building, Secretariat, Hyderabad
2. The Commissioner of Endowments, Boggulkunta, Hyderabad.-500001
3. Sri Lakshmi Narasimha Swamy Devasthanam, Rep by its Executive Officer, Yadagirigutta, Yadadri- Bhuvanagiri District.
4. The Executive officer, Sri Lakshmi Narasimha Swamy Devasthanam, Yadagirigutta, Yadadri- Bhuvanagiri 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 writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS against the inaction of the Respondents in considering the representation made by the petitioner association on 28-07-2025, seeking for the extension of the Lease for the shops situated at Yadagirigutta (up hills), Yadadri- Bhuvanagiri District, as being illegal, arbitrary and unconstitutional, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

I.A. NO: 1 OF 2026

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 Respondents to consider the Representation made by the petitioner association on 28-07-2025, seeking for the extension of the Lease for the shops situated at Yadagirigutta (up hills), Yadadri- Bhuvanagiri District, pending disposal of the Writ petition

Counsel for the Petitioner : SRI K HEMALATHA

Counsel for the Respondent Nos. 1 & 2: AGP FOR ENDOWMENTS

Counsel for the Respondent Nos. 3 & 4 : SRI CH. SATISH KUMAR, SC FOR SRI LAKSHJMI NARASIMHA SWAMY DEVASTHANAM

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.14913 OF 2026

DATE: 05.05.2026

Between :

Sri Lakshmi Narasimha Swamy Warthaka Welfare Sangam

...Petitioner

And

The State of Telangana,
Rep. by its Principal Secretary,
Endowments Department,
Secretariat Building, Hyderabad and others

...Respondents

ORDER

Heard Smt. K.Hemalatha, learned counsel appearing on behalf of the petitioner, the learned Assistant Government Pleader for Endowments appearing on behalf of the respondent Nos.1 and 2 and the learned Standing Counsel for Sri Lakshmi Narasimha Swamy Devasthanam appearing on behalf of the respondent Nos.3 and 4.

2. The petitioner approached the Court seeking prayer as under:

"...to issue writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS against the inaction of the Respondents in considering the representation made by the petitioner association on 28-07-2025, seeking for the extension of the Lease for the shops situated at Yadagirigutta (up hills), Yadadri- Bhuvanagiri District, as being illegal, arbitrary and unconstitutional, and pass such other order or orders as this Honble Court may deem fit and proper in the interest of justice and to pass...."

3. The case of the petitioner in brief as per the averments made in the affidavit filed by the petitioner in support of the present Writ Petition is as under:-

- i) The petitioner society i.e., Sri Lakshmi Narasimha Swamy Warthaka Welfare Sangham, was formed for the welfare of shopkeepers at Yadagirigutta and consists of members who have been carrying on business in the temple area for several decades.
- ii) Originally, about 113 shops belonging to the members of the petitioner association existed at Yadagirigutta (uphill area). In the year 2016, during the renovation and development of the temple, all the said shops were

demolished. Subsequently, only 10 shops were constructed and allotted to the petitioner association.

iii) The petitioner association has been granted lease of the said shops from time to time, and the last lease was extended from 01.06.2023 to 31.05.2026 on payment of lease amount. Prior to expiry of the lease, the petitioner association submitted a representation dated 28.07.2025 seeking extension of lease in terms of G.O.Ms. No.866, Revenue (Endowments-I) Department, dated 08.08.2003. However, the respondents have not passed any orders till date. Aggrieved by the same, the petitioner approached this Court by filing the present writ petition.

4. PERUSED THE RECORD:

A) The relevant portion of G.O.Ms. No.866, Revenue (Endowments-I) Department, dated 08.08.2003 is extracted hereunder:

3. All leases of licenses shall be made by way of public auction:--(1) Provided that the Commissioner may on a request made in Writing by the Executive Authority permit the lease of

any property or right other wise than by way of public auction. If he is satisfied for reasons to be recorded in writing that the interest of the institution or endowment will not suffer thereby. He may grant permission to such executive authority to grant a lease otherwise than by way of public auction.

(2) The public auction shall be held at the place where the properties are situated or right exists:

Provided that the competent authority may; if he is satisfied that in case the holding of auction at a place other than the one in which the properties proposed to be licensed are situated, will not be detrimental to secure a proper bid or will be held to secure a better bid or to thwart local collusion among the bidders, permit such auction but auction shall be held, in a district other than the one in which the property is situated.

DISCUSSION AND CONCLUSION:

5. Learned counsel appearing on behalf of the petitioner mainly puts forth the following submissions:

4.1 The petitioner society was registered vide Registration No. 2370/1989.

4.2 For the past 50 years, the members of the petitioner society and their family members have been running authorized shops at Yadagirigutta (uphill area).

4.3 The latest lease deed was extended from 01.06.2023 to 31.05.2026 for an amount of Rs.12,00,000/- (Rupees Twelve Lakhs only), excluding GST.

4.4 Though the petitioner association submitted a detailed representation dated 28.07.2025 seeking extension of the lease on the existing terms, in accordance with G.O.Ms. No. 866, dated 08.08.2003, particularly Rule 3(1), which provides that the Commissioner may, on a request made in writing by the Executive Authority, permit the lease of any property otherwise than by way of public auction, if the Commissioner is satisfied, for reasons to be recorded in writing, that the interest of the institution or endowment will not suffer thereby, he may grant permission to such executive Authority to grant a lease otherwise than by way

of Public Auction but, no orders had been passed on the said representation of the petitioner as on date.

4.5 The members of the petitioner association have been deriving their livelihood from the said shops for the past five decades, and the same is their only source of income.

4.6 The Executive Authority of the subject Temple in the present case recommended petitioner's case for extension of lease for a further period, duly complying with the mandatory requirement under Rule 3(1) of G.O.Ms.No.866, Revenue Endowment-I, Dept., dated 08.08.2003

Based on the aforesaid submissions, learned counsel appearing on behalf of the petitioner contends that the petitioner is entitled to the relief as prayed for by the petitioner in the present writ petition.

6. Learned Government Pleader for Endowments appearing on behalf of the respondent Nos.1 and 2, however disputes the submissions of the learned counsel appearing on behalf of the petitioner and contends that it is

for the respondent No.2 to take appropriate decision in the matter.

7. The learned Government Pleader for Endowments appearing on behalf of respondent Nos. 1 and 2 and the learned Standing Counsel appearing on behalf of respondent Nos. 3 and 4, do not dispute the legal position or the powers of the Commissioner to act upon a request made in writing by the Executive Authority for granting lease of any property or right otherwise than by way of public auction, in the interest of the institution or endowment.

8. TAKING INTO CONSIDERATION:

a) The aforesaid facts and circumstances of the case,

b) The submissions made by the learned counsel appearing on behalf of the petitioner, the learned Assistant Government Pleader for Endowments appearing on behalf of the respondent Nos.1 and 2 and the learned Standing Counsel for Sri

Lakshmi Narasimha Swamy Devasthanam appearing on behalf of the respondent Nos.3 and 4,

c) The contents of the G.O.Ms. No.866, Revenue (Endowments-I) Department, dated 08.08.2003, in particular Rule 3(1) (referred to and extracted above)

d) The discussion and conclusion as arrived at paragraph Nos.5 to 8 of the present order,

The Writ Petition is disposed of directing respondent No.2 to consider the representation of the petitioner dated 28.07.2025 seeking extension of lease in respect of 10 shops for a period of three (03) years situated at Yadagiri Gutta (up-hills) Yadadri Bhuavanagiri District, for a period of three years, which are presently held by the petitioner association, and pass appropriate orders in accordance to law and in conformity with the principles of natural justice, by providing an opportunity of personal hearing to the petitioner duly taking into consideration in particular Rule 3(1) of G.O.Ms. No. 866, dated 08.08.2003

(referred to and extracted above), within a period of two (2) weeks from the date of receipt of a copy of this order, and duly communicate the decision on the said representation to the petitioner herein.
However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

SD/-B.G. VYJAYANTHI
ASSISTANT REGISTRAR

//TRUE COPY//

G

SECTION OFFICER

To,

1. The Principle Secretary, Endowments Department Secretariat Building, Secretariat, The State of Telangana, Hyderabad
2. The Commissioner of Endowments, Boggulkunta, Hyderabad.-500001
3. The Executive Officer, Sri Lakshmi Narasimha Swamy Devasthanam, Yadagirigutta, Yadadri- Bhuvanagiri District.
4. The Executive officer, Sri Lakshmi Narasimha Swamy Devasthanam, Yadagirigutta, Yadadri- Bhuvanagiri District
5. One CC to SRI K HEMALATHA Advocate [OPUC]
6. One CC to SRI CH. SATISH KUMAR, SC FOR SRI LAKSHMI NARASIMHA SWAMY DEVASTHANAM, Advocate [OPUC]
7. Two CCs to GP FOR ENDOWMENTS, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

PVL
BS

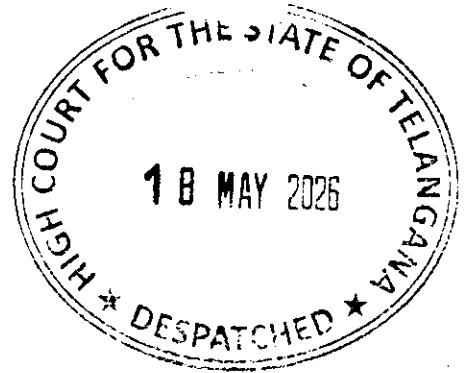
HIGH COURT

CC-TODAY

DATED: 05/05/2026

ORDER

WP.No.14913 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

11 copies
18
14/5/26