

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTIETH DAY OF JULY

TWO THOUSAND AND TWENTY SIX

:PRESENT:**THE HONOURABLE SMT JUSTICE RENUKA YARA****I.A.No. 1 OF 2026****IN****CMA NO: 234 OF 2026****Between**

G. Vittaleswar,, S/o Late G. Narsinga Rao

...PETITIONER(Appellant in CMA NO: 234 OF 2026
on the file of High Court)**AND**

1. The Assistant Commissioner,, Endowments Department, Secunderabad District.
2. .Sri Matike Nagaiah Dharmashala, (Sri Nageswara Dharma Nilayam), Sajjanlal Street, Monda Market, Secunderabad, represented by its Founder Family Member.
3. .Smt. B. Gouri @ Matike Gouramma,, W/o B. Nagabhushanam, R/o D.No.6-2-231, New Bhoiguda, Secunderabad.

...RESPONDENTS

(Respondents in-do-)

Counsel for the Petitioner: SRI D RAMAKRISHNA**Counsel for the Respondent No. 1: GP FOR ARBITRATION**

Petition under Section 151 of C.P.C 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 of the order and Decree dated. 10-04-2026 passed in O.A.No. 392 of 2015 by the Telangana Endowment Tribunal, Hyderabad, including directing the respondents to forthwith restore possession of shop No. 7-3-58 situated at Sri. Matike Nagaiah Dharmashala, Sajjanal Street, Moncia Market Secunderabad, to the appellant/petitioner by removing the seal and handing over vacant possession duly restraining the respondents from inducting any third party into the schedule premises or changing the nature and character of the property, pending disposal of CMA No 234 of 2026, on the file of the High Court.

The Court made the following

ORDER

This application is filed to suspend the operation of the decree dated 10.04.2026 in O.A.No.392 of 2015 on the file of the learned Endowments Tribunal

at Hyderabad ('Tribunal'), including directing the respondents to forthwith restore the possession of the petitioner and to remove the seal and hand over the vacant possession of the shop No.7-3-58, Sri Matike Nagaiah Dharmashala, Sajjanlal, Street, Monda Market, Secunderabad('property') to the petitioner duly restraining the respondents from inducting any third party into the said property.

Heard both sides.

The petitioner herein has been declared as encroacher *vide* order dated 10.04.2026 in O.A.No.392 of 2015 on the file of the Tribunal and was directed to deliver vacant possession of the said property within three months i.e., on or before 09.07.2026. The copy of the said order and decree was received by the petitioner on 06.05.2026. Aggrieved by the same, the petitioner preferred the present C.M.A. on 08.06.2026 while the stipulated 90 days period for vacating the property was to expire on 09.07.2026. However, respondent No.1 forcibly evicted the petitioner on 19.06.2026 i.e., subsequent to filing of the present C.M.A. before this Court and within the time period fixed.

In the circumstances, the aforementioned fact situation shows glaring violation on the part of respondent No.1 in complying with the orders passed by the Tribunal in O.A.No.392 of 2015 on 10.04.2026 and also violation of the statutory right available to the petitioner to prefer the appeal.

Respondent No.1, who approached the Tribunal for relief is under obligation to comply with the order passed by the Tribunal and also not entitled to cause obstruction to the petitioner in exercising his right of preferring an appeal before this Court.

In the circumstances, respondent No.1 is directed to restore possession of the petitioner over the property i.e., shop No.7-3-58, Sri Matike Nagaiah

Dharamashala, Sajjanlal, Street, Monda Market, Secunderabad, until the disposal of the present appeal subject to the petitioner furnishing an undertaking to vacate the said property within a period of 30 days from the date of disposal of the present appeal, if the order of the Tribunal is confirmed by this Court in appeal.

SD/- S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Chairman, Telangana Endowments Tribunal, Hyderabad.
2. The Assistant Commissioner, Endowments Department, Secunderabad District. **[By SPAD]**
3. Founder Family Member, Sri Matike Nagaiah Dharmashala, (Sri Nageswara Dharma Nilayam), Sajjanlal Street, Monda Market, Secunderabad. **[By SPAD]**
4. Smt. B. Gowri @ Matike Gouramma, W/o B. Nagabhushanam, Aged about Major, Occ. Household, R/o D.No.6-2-31, New Bhoiguda, Secunderabad. **[By SPAD]**
5. One CC to Sri. D RAMAKRISHNA Advocate [OPUC]
6. Two CCs to GP FOR ARBITRATION, High Court for the State of Telangana, at Hyderabad [OUT]
7. One spare copy

HIGH COURT

RY, J

DATED: 20-07-2026

ORDER

**I.A.No. 1 OF 2026
IN
CMA NO: 234 OF 2026**

DIRECTION

