

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

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND
THE HON'BLE SRI JUSTICE T.VINOD KUMAR

IA No. 1 OF 2021
IN
WP NO: 24029 OF 2021

Between:

1. Meena Kumari Mishra, W/o. Late Sri Kishan Prasad Mishra,
2. Guruprasad, S/o. Late Sri Ram Prasad,
3. Srinath Prasad Mishra, S/o. Late Sri Ganesh Prasad Mishra,
4. Raghunath Prasad Mishra, S/o. Late Sri Ganesh Prasad Mishra,

...Petitioners
(Petitioners in WP. No. 24029 of 2021
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Endowments Department, Secretariat, Saifabad, Hyderabad.
2. The Commissioner, Endowments, Endowment Department, Boggulakunta, Tilak Road, Hyderabad, Telangana.
3. The Additional Commissioner of Endowments, Endowments Department, Boggulakunta, Tilak Road, Hyderabad.
4. Assistant Commissioner Endowments Dept, Government of Andhra Pradesh, Office of the Commissioner of Endowments Dept., Tilak Road, Hyderabad.

...Respondents
(Respondents in-do-)

Counsel for the Petitioners : SRI PRATAP NARAYAN SANGHI

Counsel for the Respondents : ASST. GP FOR ENDOWMENTS

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to suspend the Proceedings No.9796/Endts.II(A1)/2020m dt:27.10.2020 received on 25.09.2021 and direct the Respondent to continue the Petitioner as Hereditary Trustee (Founder), pending disposal of WP No. 24029 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

“Learned counsel for the petitioners submits that the grandfather of the petitioners was declared as Hereditary Trustee in 1992 and basing on the same, the Judicial Member upheld the claim of the petitioners whereas the Administrative Member without application of mind held otherwise and as there was difference of opinion, the matter was referred to the Government and the Government passed the order dated 27.10.2020, a copy of which was received by them on 25.09.2021, agreeing with the view taken by the

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Administrative Member without giving any reason. He also submits that in similar circumstances, this Court passed interim orders.

Heard learned Assistant Government Pleader for Endowments.

A reading of the impugned order goes to show that without application of mind and without giving any reason, the Government has agreed with the reasoning of the Administrative Member.

In view of the above, there shall be interim suspension as prayed for."

//TRUE COPY//

SD/-B. SATYAVATHI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, State of Telangana, Secretariat, Saifabad, Hyderabad.
2. The Commissioner, Endowments, Endowment Department, Boggulakunta, Tilak Road, Hyderabad, Telangana.
3. The Additional Commissioner of Endowments, Endowments Department, Boggulakunta, Tilak Road, Hyderabad.
4. The Assistant Commissioner Endowments Dept, Government of Andhra Pradesh, Office of the Commissioner of Endowments Dept., Tilak Road, Hyderabad. (Addressees 1 to 4 BY RPAD)
5. Two CCs to GP for Endowments, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Sri Pratap Narayan Sanghi, Advocate (OPUC)
7. Two Spare Copies

HIGH COURT

ARRJ
&
TVK,J

DATE: 05-10-2021

ORDER

I.A. N O.1 OF 2021
IN
WP. NO. 24029 OF 2021

INTERIM SUSPENSION

