

**IN THE HIGH COURT OF JUDICATURE :: ANDHRA PRADESH  
AT AMARAVATHI**

CC.NO.

OF 2024

IN

WP.No.17212 of 2022

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Amaravathi.

Date: 20/02/24

Counsel for the petitioner.

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**MEMORANDUM OF CONTEMPT PETITION  
(UNDER SECTION 10 & 12 OF CONTEMPT OF COURTS ACT 1971  
R/W ARTICLE 215 OF CONSTITUTION OF INDIA)**

**IN THE HIGH COURT OF JUDICATURE :: ANDHRA PRADESH  
AT AMARAVATHI**

CC.No. of 2024

In

WP.NO. 17212 OF 2022

**Between:**

**A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri,  
Aged about 45 years, working as Purohit (Contract basis),  
Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District (formerly Chittoor Dt), AP.**

**.....Petitioner.**

**And**

- 1. Shri.Karikal Valeven, IAS,  
Special Chief Secretary to Government,  
Government of Andhra Pradesh  
Revenue (Endowments) department,  
AP Secretariat, Velagapudi, Guntur district, AP.**
- 2. Shri.S.Satyanarayana, IAS,  
The Commissioner, Endowments,  
Government of Andhra Pradesh,  
Gollapudi, Vijayawada Rural,  
NTR District, AP - 521 225.**
- 3. Sri. S.V.Nageswara Rao,  
Working as Executive Officer,  
Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District, AP - 517 644.**

**.....Respondents.**

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For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble court may be pleased to summon and punish the respondents for their willful and deliberate disobedience of the order passed by this Hon'ble Court in WP.No.17212/2022 dated 11.07.2023, under the provisions of the Contempt of Courts Act and Article 215 of the Constitution of India, in the interest of Justice, and pass such other order or orders as this Hon'ble court may deem fit and proper

Amaravathi.

Counsel for the petitioner

Date: 20.2.24

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IN THE HIGH COURT OF JUDICATURE : ANDHRA PRADESH  
AT AMARAVATHI

CC.No.

of 2024

In

WP.NO.

17212

OF 2022

Between:

A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri,  
Aged about 45 years, working as Purohit ,  
Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District (formerly Chittoor Dt), AP.

.....Petitioner/petitioner in  
WP.No.17212/2022

And

1. Shri.Karikal Valeven, IAS,  
Special Chief Secretary to Government,  
Government of Andhra Pradesh  
Revenue (Endowments) department,  
AP Secretariat, Velagapudi, Guntur district, AP.
2. Shri.S.Satyanarayana, IAS,  
The Commissioner, Endowments,  
Government of Andhra Pradesh,  
Gollapudi, Vijayawada Rural,  
NTR District, AP – 521 225.
3. Sri. S.V.Nageswara Rao,  
Working as Executive Officer,  
Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District, AP - 517 644.

.....Respondents/Respondents in  
WP.17212/2022 .

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**AFFIDAVIT**

I, A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri, Aged about 45 years, working as Purohit , Sri Kalahasteeswara Swamyvari Devasthanam, Sri Kalahasti, Sri Kalahasti Division, Tirupati District (formerly Chittoor Dt), AP, now having temporarily come down to Vijayawada, do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the petitioner herein and as such I am well acquainted with the facts of the case.
2. I submit that, I am fully qualified and eligible to hold the post of Archaka/Purohit and Veda Parayanadar, and that my services were engaged as Purohit by Sri Kalahastheeswara Swamyvari Devasthanam, SriKalahasti in the year 2004. I have made several representations for regularization of my services in the existing vacant post of Purohit/Archakas.
3. I submit that, the then Executive Officer of the Devasthanam submitted report to the Commissioner, Endowments on 8.7.2015 recommending to regularize my services reporting that there is a need and contingency. The E.O of the Devasthanam again submitted another proposal to the Commissioner, Endowments on 11.12.2016 stating that due to the retirement of the regular

purohits, myself has been performing those duties. I submit that, the E.O of the devasthanam by his letter dated 5.11.2018 once again recommended to regularise my services as Purohit, as I have been performing all the duties of a regular purohit including performing Abhishekams for Srivaru and Ammavaru for 3 times a day, performing Mahanyasa Rudrabhishekham 4 times a day, Nitya Kalyanostavams, Suprabhatha Seva, Mahasivaratri Brahmastavams, yagasala poojas and other rituals at 19 associated temples. I have made representations time and again, but they were not considered inspite of the repeated recommendations made by the E.O of the temple. Indeed, several others who are similarly situated, working in different temples in the state has been regularized.

4. I submit that, I had filed WP.No.17212/2022 aggrieved by the action of the respondents in not regularising/absorbing my service in the vacancy existing vacancy of purohit in the Devasthanam inspite of the repeated recommendations made by the Executive officer of the Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019, as illegal.

5. I submit that, the Hon'ble High Court allowed the writ petition by its order dated 11.7.2023, with the following direction:

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"In instant case, as the petitioner was appointed in the year 2004 and worked for nearly twenty years, the respondents are directed to consider the request made by the 3rd respondent and regularize the service of the petitioner on par with others those who are made in Government Memo No.NDW/502/2019/Endt.I(2), dated 02.02.2022 and proceedings of the Commissioner Endowments dated 21.06.2022 and pass appropriate orders expeditiously within a period of two(2) months from the date of receipt of copy of this Order."

6. I submit that, I have submitted representation dated 25.8.2023 along with copy of the order of the Hon'ble High Court and requested to implement the Judgement of this Hon'ble Court. In pursuant to my representation, the Government was pleased to issue Memo No.REV01-ENDW/1033/2023-ENDW-1 dated 22.9.2023 directing the Commissioner, Endowments to examine my representation in the light of the orders of this Hon'ble court and to take action in accordance with law and to furnish action taken report to the Government. But to my utter surprise, no action has been taken. I submit that, in pursuant to the said memo, I have submitted representation to the Government on 8.12.2023, requesting to absorb my services in the vacancies in implementation of the Judgement of this Hon'ble Court.

7. I submit that, I also got issued legal notice through my counsel on 12.12.2023 to the respondents 1 to 3 notifying to implement the orders of this Hon'ble court on 11.7.2023, and the 1<sup>st</sup>

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respondent received on 18.12.2023 and the 2<sup>nd</sup> respondent on 15.12.2023. In pursuant to the said legal notice, the 1<sup>st</sup> respondent issued Memo No.REV01-ENDW/1033/2023-ENDW-I(2) dated 21.1.2024, directing the Commissioner, Endowments to take necessary action, but there was no response of any kind from the 2<sup>nd</sup> respondent. I submit that, inspite of the directions of the 1<sup>st</sup> respondent and my representations, the 2<sup>nd</sup> respondent is acting oblivious about the orders of this Hon'ble court, which is intentional and deliberate.

8. I submit that, the respondents has got scant respect towards the Hon'ble court and orders passed. The respondents are intentionally and deliberately flouting the orders of this Hon'ble court dated 11.7.2023. This action of the respondents are contemptuous and contumacious, and they are liable to be punished for the same and hence I am constrained to lodge this contempt case, complaining the deliberate and willful disobedience of the order of this Hon'ble Court made in WP.No.17212/2022 dated 11.07.2023. The Respondents has got scant respect towards this Hon'ble Court and orders passed. The disobedience of orders would amount to Civil Contempt and they are liable to be prosecuted under section 10 & 12 of the Contempt of Courts Act and under Article 215 of the Constitution of India.



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For the reasons stated above, it is therefore prayed that this Hon'ble court may be pleased to summon and punish the respondents for their willful and deliberate disobedience of the order passed by this Hon'ble Court in WP.No.17212/2022 dated 11.07.2023, under the provisions of the Contempt of Courts Act and Article 215 of the Constitution of India, in the interest of Justice, and pass such other order or orders as this Hon'ble court may deem fit and proper.

Sworn and signed before me,  
On this      day of February, 2023.

Deponent

Advocate, Vijayawada.

**VERIFICATION**

I, A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri, Aged about 45 years, working as Purohit , Sri Kalahasteeswara Swamyvari Devasthanam, Sri Kalahasti, Sri Kalahasti Division, Tirupati District (formerly Chittoor Dt), AP, do hereby declare that the facts stated above, are true to my knowledge, information and belief.

Hence verified on this      day of February, 2023.

Deponent

Counsel for the petitioner.

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**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(Special Original Jurisdiction)**

**TUESDAY, THE ELEVENTH DAY OF JULY  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HON'BLE SRI JUSTICE D RAMESH**

**WRIT PETITION NO: 17212 OF 2022**

**Between:**

**A V V S D V Prasad Sharma, S/o Satyanarayana Shastri, Aged about 44 years,  
working as Purohit (Contract Basis), Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division, Tirupati District (formerly Chittoor Dt), AP.**

**...PETITIONER**

**AND**

- 1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue (Endowments) department, AP Secretariat, Velagapudi, Guntur district, AP.**
- 2. The Commissioner, Endowments, AP, Gollapudi, Vijayawada Rural, NTR District, AP.**
- 3. Sri Kalahasteswara Swamyvari Devasthanam, Rep by its Executive officer, Sri Kalahasti, Sri Kalahasti Division, Tirupati District, AP**

**...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 an order or directions, more particularly, one in the nature of mandamus, a) declaring the action of the 1<sup>st</sup> and 2<sup>nd</sup> respondents in not regularizing/absorbing the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam inspite of the recommendations made by the Executive officer of the 3<sup>rd</sup> respondent Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019, as illegal and contrary to law, b) direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents to regularize/absorb the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam, as per of the recommendations made by the Executive officer of the 3<sup>rd</sup> respondent Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019 on par with other employees of the other temples whose services were regularized by the respondents, and to give all consequential benefits.

**IA NO: 1 OF 2022**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents No.1 and 2 to consider regularization of the services of the petitioner as purohit as per the reports made by the 3<sup>rd</sup> respondent vide reports dated 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018;

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16.08.2019, recommending the case of the petitioner for regularization of his service in the existing vacancy in the post of purohit, in the interest of justice, pending disposal of the above writ petition.

**Counsel for the Petitioner : SRI. N BHARAT BABU**

**Counsel for the Respondent Nos. 1,2 : GP FOR ENDOWMENTS**

**Counsel for the Respondent No. 3 : SRI G. RAMANA RAO, SC FOR  
ENDOWMENTS**

**The Court made the following : ORDER**

**THE HONOURABLE SRI JUSTICE D.RAMESH**

**WRIT PETITION No.17212 of 2022**

**ORDER:**

This Writ Petition under Article 226 of the Constitution of India is filed seeking to declare the action of respondent Nos.1 and 2 in not regularizing/absorbing the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam inspite of the recommendations made by the Executive Officer of the 3<sup>rd</sup> respondent Devasthanam on 23.11.2011, 08.07.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019 as illegal and contrary to law and direct the respondent Nos.1 and 2 to regularize/absorb the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam.

2. The petitioner studied Krishna Yajurveda from Sri Venkateswara Veda Patashala, Dharmagiri, Tirumala, which is part of Vedayayam, Divya Prabhand Archakatva, Purohitya. He also passed Pravesa Exam with serial No.330029 conducted by the Endowments Department. He is fully qualified and eligible for appointment to the post of

Archaka/Purohits and Veda Paranayadars at any temple in the State. Accordingly the petitioner has appointed as Purohit in the 3<sup>rd</sup> respondent institution and the same was acknowledged by the 2<sup>nd</sup> respondent vide resolution dated 29.03.2007. The petitioner was appointed as Purohit on contract basis initially for a payment of Rs.3,000/- as remuneration. Subsequently, remuneration was increased to Rs.6,000/- with effect from 14.11.2010.

3. Based on the submissions, the 3<sup>rd</sup> respondent submitted a report to the 2<sup>nd</sup> respondent on 08.07.2015, recommending to the Commissioner Endowments to regularize the service of the petitioner in the existing vacancy. Request was not considered by the respondents. Once again they have made a request on 11.12.2016 after retirement of Sri Y.S.Chandra Sekhar Shastri, Purohit who was working on regular basis. After his retirement on 31.08.2010, there is a need of regular purohits and it was also brought to the notice of the 2<sup>nd</sup> respondent that there are no regular Purohits since more than 13 years. The said request was rejected by the respondents only on the ground of imposing ban. Finally, based on the request made by the petitioner on 26.10.2018, the 3<sup>rd</sup> respondent

has recommended the case of the petitioner for regularization vide proceedings dated 05.11.2018 stating that the petitioner is only Purohit working on contractual basis and performing all the duties of a regular purohit such as performing Abhishekams for Srivaru and Ammavaru for three times a day, performing Mahanyasa Rudrabhishekham four times a day, Nitya Kalyanostavams, Suprabhatha Seva, Mahasivaratri Brahmostavams, Yagasala Poojas and other rituals at 19 associated temples and requested to pass appropriate orders regularizing the service of the petitioner and reminder was made on 16.08.2019. It is also mentioned that the Government has issued Memo dated 22.01.2021 for implementation of extension of the pay scales to Purohits in Archaka Scale. The Commissioner Endowments forwarded the said Government Memo and asked the 3<sup>rd</sup> respondent to submit a report for extension of the same. Accordingly, the petitioner's pay scale was extended.

4. As the petitioner is working as Purohith in the 3<sup>rd</sup> respondent institution and he has completed more than twenty years, as per Section 35(3) of Endowments Act, the petitioner is the only eligible and qualified to be appointed

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as Purohit by regularizing the service, as per the recommendations made by the 3<sup>rd</sup> respondent since 2011 finally on 16.03.2019.

5. After notice, the 2<sup>nd</sup> respondent filed counter. According to the counter, the petitioner appointed as Purhoit on contract basis with a consolidated pay of Rs.3,000/- per month on 19.04.2007 in the 3<sup>rd</sup> respondent Devasthanam. The consolidated pay of the petitioner has been enhancing from time to time and accordingly, the petitioner is drawing consolidated pay of Rs.22,076/- per month. Based on the request made by the petitioner, the 3<sup>rd</sup> respondent submitted report to the 2<sup>nd</sup> respondent. After examining of the record, the 2<sup>nd</sup> respondent has issued proceedings on 17.12.2018 stating that there is no possibility for regularization of service of the employees who are working under contract basis. The petitioner has not challenged the said orders, but again submitted another representation on 08.07.2019 with a request for regularizing his service. The 3<sup>rd</sup> respondent again submitted report on 16.08.2019 and the 2<sup>nd</sup> respondent has returned the said request on 19.11.2019, directing to take necessary action as per circular memo dated

24.09.2018. In fact, the Commissioner Endowments has issued general circular vide memo dated 24.09.2018 to all the Execution authorities of the Charitable and Religious institutions not to send proposals for regularization of the service with regard to the Endowments Institutions. As the said circular is in existence, the 3<sup>rd</sup> respondent ought not to have sent the proposal for regularization of the service of the petitioner. Hence, the same were returned.

6. There is a ban on regularization of services of employees in Hindu Religious and Endowments Institutions imposed vide G.O.Rt.No.1997, Revenue (Endts.I) Department, dated 18.10.2005 until further orders by taking into consideration of large scale irregular appointment by the concerned Executive Officer, even in the absence of cadre strength. The case of the petitioner cannot be considered for regularization, accordingly the same was returned to the 3<sup>rd</sup> respondent vide proceedings dated 30.07.2022.

7. Based on the above pleadings, learned Senior Counsel appearing on behalf of the petitioner has submitted that the petitioner is fully qualified and eligible as per rules and accordingly, his services were taken by the



3<sup>rd</sup> respondent in the year 2004 and the same were acknowledged by the 2<sup>nd</sup> respondent vide proceedings dated 29.03.2007 by permitting the 3<sup>rd</sup> respondent to continue the petitioner's services. Further it is not in dispute that the 3<sup>rd</sup> respondent made a request to the 2<sup>nd</sup> respondent based on the circumstances existing all the permanent purohits were retired and the petitioner alone is performing Abhishckhams for Srivaru and Ammavaru for three times a day, performing Mahanyasa Rudrabhishekham four times a day, Nitya Kalyanostavams, Suprabhatha Seva, Mahasivaratri Brahmostavams, Yagasala Poojas, etc., and when there are regular sanctioned posts are available and as the petitioner is performing all the pujas regularly since, twenty years he is qualified for the said post. Rejection of the proposals by the 2<sup>nd</sup> respondent is only on the ground of having the memo issued by the Commissioner vide proceedings dated 24.09.2018 which is baseless and contrary to Rules.

8. Learned Senior Counsel for the petitioner further submitted that in fact a Committee was constituted with regard to the service issues of the temple employees headed by Sri Justice A.Venkatrami Reddy, Chairman, Sri

M.V.S.Prasad, I.A.S., retired, Sri Prof m.V.Soundararajan, Hereditary Trustee, Chilkur and Sri A.Chengappa, I.A.S., retired. Subsequently, committee members were modified with Justice P.Jagannadham Naidu, District Judge retired, Sri M.V.S.Prasad, I.A.S., retired and Sri Prof M.V.Soundararajan. The said committee has considered and made some recommendations, one of the recommendation with regard to regularization of the service of the employees working in the cadre of NMR, consolidated, contract basis, daily wages and outsourcing etc, in all the A.P. Charitable and Hindu Religious Endowments Department which reads as follows:

*"A sizeable number of employees are recruited not only because of the needs of temples, but also because of pressures brought in by somebody or the other. Even while making such appointments, there is no rational or uniformity in fixing the pay for such employees. In fact, no action seems to have been taken against the defaulting executives, though ban on recruitment has been in vogue since 1993. Existence of such large number of employees inspite of ban proves lack of discipline. Taking into consideration the present state it is recommended that all those employees who have been in employment for ten years and above can be regularized and they should be accommodated in regular posts which are kept vacant. For this purpose, they should be considered*

*not only for being posted in the temples where they are presently working in if there are regular posts but also other temples if there are no vacancies in the parent temple. Because of the financial burden caused by such regularization, we recommend that they be accommodated in the basic scale of the job into which they are recruited.*

*In respect of those who are employed for less than ten years, we recommend that they should be phased out from the employment and should be given priority in future employment, if needed."*

9. When the said recommendations were made by the Committee constituted by the Government, the 2<sup>nd</sup> respondent has no basis for rejection of the proposals for regularization of the services in the Endowment Departments which is contrary to the recommendations made by the Committee and also the Rules.

10. Further the learned Senior Counsel for the petitioner has brought to the notice of the Court that in identical situations this Hon'ble Court has considered and decided the Writ Petition No.15219 of 2020, which is filed for following relief:

*"Undoubtedly, the petitioner was appointed as NMR in the establishment of third respondent temple on 12.03.2000, completed more than 20 years of service and qualified for regularization in the vacant posts in the cadre strength of the*

*third respondent temple. As per G.O.Ms.No.60 Finance (PC and TA) Department dated 06.07.2019, interim relief of 27% on the basic pay was extended to this petitioner along with other NMRs @ Rs.3,510/- with effect from 01.07.2019. Thereafter, interim relief was stopped from the month of September, 2019 after change in the office of the Executive Officer and the same is challenged in W.P.No.11483 of 2020, pending disposal. Thereupon, the third respondent issued proceedings in R.C.No.A1/1655/2015 dated 03.10.2019 and revised the pay scales as per the qualifications, eligibility and minimum pay scale attached to the post of Record Assistant and Junior Assistant were extended to all the NMRs. Once the scales are allotted and allowed to draw salary on par with regular employees, the petitioner and others are eligible to be continued in the regular cadre strength posts as against the posts which they are working and which are vacant as on today as per the approved cadre strength of the temple. Hence, requested this Court to issue a direction to the respondents to regularize the services of this petitioner with all consequential service and monetary benefits."*

11. Based on the above prayer, the Court has considered the Rulings of the Hon'ble Apex Court in **State of Karnataka Vs. M.L.Kesari<sup>1</sup>**, and held that:

*"The law laid down by the authorities is not in quarrel, but in the present case, the services of this petitioner were engaged long prior to the judgment and continuously discharging their duties in the same capacity for the last more than 20 years, consequently as one time regularization scheme, as held by the Apex Court in State of Karnataka v. M.L. Kesari (referred supra) be undertaken by the department to regularize the services of this petitioner on par with the services of Respondent Nos. 4 to 6 to avoid invidious discrimination in treating the persons placed on the same footing. Hence, in view of the law declared by the Apex Court in various judgments, Respondent Nos. 1 to 3 are directed to consider the case of this petitioner on par with Respondent Nos. 4 to 6 as one time regularization scheme, as directed by the Apex Court in State of Karnataka v. M.L. Kesari (referred supra)."*

12. The learned Senior Counsel for the petitioner has submitted that the facts in the above said case and in the instant case are one and the same. The petitioner was

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<sup>1</sup> SLP (C) No.15774 of 2006 dated 03.08.2010

appointed in the year 2004 and service was permitted by the 2<sup>nd</sup> respondent in the year 2007 and since then the petitioner is continuously performing all the pujas, finally as per the proceedings of the Government by extending the pay scale to the petitioner. Further submitted that as per the orders of the Court, the respondent have issued various proceedings regularizing the service in identical cases and accordingly, he has made reliance of the said proceedings dated 02.02.2022 and 21.06.2022. In the said proceedings the Government has considered and regularized the service of the Purohits in Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeladri and he further submitted that in some of the cases regularizing orders were also passed with regard to the 3<sup>rd</sup> respondent institutions.

13. Reply to the said submission, learned Government Pleader submitted that as there is a specific ban imposed by way of circular dated 24.09.2018 by the 2<sup>nd</sup> respondent directing the institutions not to send any proposals for regularization of the employees. Despite the said circular, the 3<sup>rd</sup> respondent sent proposals. Hence, the 2<sup>nd</sup> respondent returned the same stating that it is

contrary to the circular memo dated 24.09.2018. In view of the ban memo, he requested for dismissal of the Writ Petition.

14. Learned counsel appearing on behalf of the 3<sup>rd</sup> respondent has submitted that as per the provisions of the Act, the 2<sup>nd</sup> respondent alone is competent to regularize the service of petitioner, hence, the 3<sup>rd</sup> respondent recommended the case of the petitioner to the 2<sup>nd</sup> respondent for regularization.

15. Considering the submissions made by the learned counsel appearing on behalf of the petitioner as well as the Standing Counsel and the learned Government Pleader for the respondents, as the facts are not in dispute, the contention of the 2<sup>nd</sup> respondent is only on the ground that when there is a circular dated 24.09.2018 imposing ban, the case of the petitioner cannot be considered.

16. In identical issue, this Court in Writ Petition No.15219 of 2020 by following the observations of the Hon'ble Apex Court in **State of Karnataka Vs. M.L.Kesari**, directed the respondents to regularize the service of the petitioner therein taking alone the service i.e., more than twenty years. In instant case, as the

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petitioner was appointed in the year 2004 and worked for nearly twenty years, the respondents are directed to consider the request made by the 3<sup>rd</sup> respondent and regularize the service of the petitioner on par with others those who are made in Government Memo No.NDW/502/2019/Endt.I(2), dated 02.02.2022 and proceedings of the Commissioner Endowments dated 21.06.2022 and pass appropriate orders expeditiously within a period of two(2) months from the date of receipt of copy of this Order.

With the above directions, the writ petition is allowed.

There shall be no Order as to costs.

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

SD/- P. VINOD KUMAR  
ASSISTANT REGISTRAR  
SECTION OFFICER

//TRUE COPY//

- To,
1. The Principal Secretary, Revenue (Endowments) Department, State of Andhra Pradesh, AP Secretariat, Velagapudi, Guntur district, AP.
  2. The Commissioner, Endowments, AP, Gollapudi, Vijayawada Rural, NTR District, AP.
  3. The Executive officer, Sri Kalahasteeswara Swamyvari Devasthanam, Sri Kalahasti, Sri Kalahasti Division, Tirupati District, AP
  4. One CC to Sri. N Bharat Babu Advocate [OPUC]
  5. Two CCs to GP for Endowments, High Court of Andhra Pradesh. [OUT]
  6. Two CD Copies

PV  
*[Signature]*



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HIGH COURT

PV

DATED:11/07/2023

ORDER

WP.No.17212 of 2022

8 copies  
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ALLOWING THE WP WITHOUT COSTS

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MEMORANDUM OF WRIT PETITION  
(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

IN THE HIGH COURT OF JUDICATURE :: ANDHRA PRADESH  
AT AMARVATHI

(Special Original Jurisdiction)

WP.No. 17212 ✓ of 2022

BETWEEN:

A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri,  
Aged about 44 years, working as Purohit (Contract basis),  
Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District (formerly Chittoor Dt), AP.

.....Petitioner.

And

1. The State of Andhra Pradesh,  
Rep by its Principal Secretary,  
Revenue (Endowments) department,  
AP Secretariat, Velagapudi, Guntur district, AP.
2. The Commissioner, Endowments, AP,  
Gollapudi, Vijayawada Rural,  
NTR District, AP.
3. Sri Kalahasteswara Swamyvari Devasthanam,  
Rep by its Executive officer,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District, AP

.....Respondents.

The address of the petitioner for the purpose of service of summons etc. is that of its Counsel N.BHARAT BABU (8985) Advocate, Plot No.303, Anne's Silver Springs Apartments, Jayaprakash Nagar, LIC colony, Vijayawada, AP, and of the respondent is same as in the above cause title.


For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble court may be pleased to issue an order or directions, more particularly, one in the nature of mandamus,

- a) declaring the action of the 1<sup>st</sup> and 2<sup>nd</sup> respondents in not regularising/absorbing the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam inspite of the recommendations made by the Executive officer of the

- 3<sup>rd</sup> respondent Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019, as illegal and contrary to law;
- b) direct the 1<sup>st</sup> and 2<sup>nd</sup> respondentstc regularise/absorb the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam, as per of the recommendations made by the Executive officer of the 3<sup>rd</sup> respondent Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019 on par with other employees of the other temples whose services were regularised by the respondents, and to give all consequential benefits;
- c) And pass such other order or orders as this Hon'ble court may deem fit and proper.

Amaravathi.

Date: 04/6/22

  
Counsel for the petitioner

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IN THE HIGH COURT OF JUDICATURE :: ANDHRA PRADESH  
AT AMARAVATHI

WP.No. 1722 of 2022

BETWEEN:

A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri,  
Aged about 44 years, working as Purohit (Contract basis),  
Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District (formerly Chittoor Dt), AP.

.....Petitioner.

And

1. The State of Andhra Pradesh,  
Rep by its Principal Secretary,  
Revenue (Endowments) department,  
AP Secretariat, Velagapudi, Guntur district, AP.
2. The Commissioner, Endowments, AP,  
Gollapudi, Vijayawada Rural,  
NTR District, AP.
3. Sri Kalahasteswara Swamyvari Devasthanam,  
Rep by its Executive officer,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District, AP

**ANNEXURE - I**  
*List of events*

1.	1999	The petitioner studied Krishna Yajurveda from S.V.Veda patashala, Tirumala and also passed Pravesa exam conducted by the Endowments department, and fully qualified and eligible for appointment as Purohit and Veda Parayanadar.	Para 2	8
2.	2004	The services of the petitioner was engaged as purohit in the 3 <sup>rd</sup> respondent institution on payment of Rs.3,000/- as remuneration.	Para 2 and 3	8
3.	2011	The petitioner made representation to the 2nd respondent seeking to regularise <del>my</del> services in the as regular purohit/Archaka in the temple, as I was performing the regular purohit duties by then.	Para 3	8
4.	8.7.2015	The 3 <sup>rd</sup> respondent submitted report to the 2nd respondent, recommending to regularize the services of the petitioner stating that there is a need for services of the petitioner. Since this is not considered, the petitioner submitted another representation.	Para 4 and 5	8 9
5.	29.11.2016	Another representation by the petitioner requesting to regularize his services	Para 8	10
6.	11.12.2016	The 3 <sup>rd</sup> respondent again recommended to regularise his services vide his letter Rc.No.A1/3339/2006 dated 11.12.2016 due to retirement of regular purohits, and the petitioner alone performing those duties.	Para 8	10
7.	15.3.2017	The 2nd respondent issued proceedings L.Dis.No.C1/26758/2016 dated 15.03.2017, rejecting to	Para 9	10

		regularise his services, stating that there was ban imposed by the government, and instead authorised the 3rd respondent to fix remuneration on par with the regular Archaka working in the Devasthanam.		
8.	9.4.2018 14.5.2018	The petitioner representation dated 9.4.2018 to increase my salary whenever there is a raise in salary for the regular Archakas, the 3rd respondent addressed letter Rc.No.A1/2171/2018 dated 14.5.2018, requesting permission from the 2nd respondent to increase remuneration whenever there is an increase of salary for the Regular Archaka. The said representation and recommendation was not considered by the 2nd respondent.	Para 10	(10-11)
9.	26.10.2018	Another representation by the petitioner, and the same was recommended by the 3rd respondent vide his report dated 5.11.2018, stating that the petitioner is performing all the duties of a regular purohit such as performing Abhishekams for Srivaru and Ammavaru for 3 times a day, performing Mahanyasa Rudrabhishekham 4 times a day, Nitya Kalyanostavams, Suprabhatha Seva, MahasivaratriBrahmostavams, yagasala poojas and other rituals at 19 associated temples, and requested to pass appropriate orders on representation.	Para 10	11
10	16.8.2019	A similar representation was made by me on 16.8.2019, and it was again forwarded by the 3rd respondent by his recommendatory letter vide Rc.No.A1/3339/2006 dated 16.8.2019, which was not considered as yet.	Para 10	11
11	22.1.2021	Government issued Government's memo No.REV011-ENDW/28/2021 - ENDT-1 dt 22.01.2021 for implementation of 'Extension of pay scale to Purohits in Archaka Scale'. The Commissioner, Endowments forwarded the said government memo and asked the 3rd respondent to submit a report by his letter dated 14.7.2021 for consideration of implementation of 'Extension of pay scale to Purohits in Archaka Scale' in my case. The 3rd respondent submitted his report to the 2nd respondent favourably for extension of pay scale by making recommendations in favour of the petitioner.	Para 11	12
12	-	The petitioner continued in service for more than 18 years performing the duties of a purohit i.e., in continuous service for long time without any protection of interim orders from this Hon'ble court, and that makes me eligible to be considered for regularization. Therefore, this writ petitioner.	Para 13	14

**ANNEXURE-II****1. Under Article 226 of the Constitution of India**

Amaravathi.

Date: 14/6 - 2022

  
 COUNSEL FOR THE PETITIONER.

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IN THE HIGH COURT OF JUDICATURE : ANDHRA PRADESH  
AT AMARAVATHI

WP.NO. 1722 OF 2022

Between:

A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri,  
Aged about 44 years, working as Purohit (Contract basis),  
Sri Kalahasteswara Swamyvari Devasthanam,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District (formerly Chittoor Dt), AP.

.....Petitioner.

And

1. The State of Andhra Pradesh,  
Rep by its Principal Secretary,  
Revenue (Endowments) department,  
AP Secretariat, Velagapudi, Guntur district, AP.
2. The Commissioner, Endowments, AP,  
Gollapudi, Vijayawada Rural,  
NTR District, AP.
3. Sri Kalahasteswara Swamyvari Devasthanam,  
Rep by its Executive officer,  
Sri Kalahasti, Sri Kalahasti Division,  
Tirupati District, AP

.....Respondents.

**AFFIDAVIT**

I, A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri, Aged about 44 years, working as Purohit (Contract basis), Sri Kalahasteswara Swamyvari Devasthanam, Sri Kalahasti, Sri Kalahasti Division, Tirupati District (formerly Chittoor Dt), AP, now having temporarily come down to Vijayawada, do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the petitioner herein and as such I am well acquainted with the facts of the case.

2. I submit that, I studied Krishna Yajurveda from Sri Venkateswara Veda Patashala, Dharmagiri, Tirumala, which is part of Vedayayam, Divya Prabhand Archakatva, Purohitya. I also passed 'Pravesha exam' with Serial No. 330029 conducted by the Endowments Department. I am fully qualified and eligible for appointment to the post of Archaka/Purohits and Veda Paranayadars at any temple in the state. I submit that, in the year 2004, my services were engaged as Purohit by the 3rd respondent institution as I am eligible and qualified for the said post. I submit that, along with me one Sri Viswa Prasada Sharma was also engaged.

3. I submit that, the 2nd respondent i.e., the Commissioner, Endowments department, AP acknowledged and ratified my appointment as Purohit on contract basis in pursuant to the Board resolution No.42 dated 29.3.2007 and accorded permission to the Executive officer of the 3rd respondent institution to engage my services as purohit on contract basis on payment of Rs.3,000/- as remuneration. Subsequently the remuneration was increased from Rs.3,000/- to Rs.6,000/- with effect from 14.11.2010 as per the Dharmika parishad's circular memo No. DPC/ 52200/ 2009 dated 3.6.2010. I submit that, by then, I have completed five years of service as Purohit at 3rd respondent Devasthanam.

4. I submit that, the 2nd respondent issued circular in Rc.No.B2/19556/ 2011 dated 8.6.2011 sanctioning 8 additional posts of Purohits in the temple in addition to 28 existing posts. By the year 2011, out of 10 posts of purohits, 9 posts were vacant. I submit that, I have made representation to the 2nd respondent seeking to regularise my services in the as regular purohit/Archaka in the temple, as I was performing the regular purohit duties by then.

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- 1 -

5 I submit that, the Executive Officer of the 3rd respondent institution, submitted report vide Rc.No.A1/3339/2006 dated 8.7.2015, recommending to the Commissioner, Endowments to regularise my services in the vacancies existing for the post of Purohits. In the said report, the 3rd respondent categorically stated that there was only one regular purohit and two purohits on contract basis were attending the performance of RaahuKethu pooja Sankalpam to Abhishekams, performance of Kalyanostavam and other Devasthanam rituals; that as against 10 posts of purohits, 9 posts are vacant; that there is non-availability of purohits for performance of RaahuKethu poojas which is the main source of income for Devasthanam which has to be performed by Veda Pandits; that the temple is unable to divert the veda pandits from their original duties i.e., reciting of vedaParayana and hence engaging me and another namely Sri K.V.Prasad Sarma for such rituals and finally requested to accord permission to regularise our services in view of the essentiality of our services. The respondents did not consider regularisation for no valid reason.

6. I submit that, disappointed by the meagre salary, another purohit on contract basis namely A.V.Prasad Sharma discontinued his services from the year 2012, whereas I have been continuing for the same meagre salary with a fond hope that one day, the respondents would regularise my services as regular purohit. As there was no action taken in pursuant to the report of the 3rd respondent dated 8.7.2015, I have again submitted representation on 30.5.2015, requesting to regularise my service in one of the existing vacant post of purohit in the Devasthanam while explaining my financial crunch to sustain myself and my family with a meagre salary being paid.



7. I submit that, on my repeated representations, the 2<sup>nd</sup> respondent directed to submit reports and the 3<sup>rd</sup> respondent all the time reiterated that my services were utilised for performance of rituals such as Rudrabhishekam, kalyanostavam, Deeparadhana etc., and requested to consider my request, keeping in view that it is difficult for any purohit to sustain himself and his family for the meagre remuneration. I submit that, just as usual, the 2<sup>nd</sup> respondent did not proceed further to my detriment.

8. I submit that, I was again compelled to submit a representation on 29.11.2016, requesting to regularise my services in view of my unsustainability and the need of the 3<sup>rd</sup> respondent to retain my services. The 3<sup>rd</sup> respondent again recommended to regularise my services vide his letter Rc.No.A1/3339/2006 dated 11.12.2016, and also stated that Sri.K.V.Prasad Sharma, Purohit who was appointed on temporary basis along me was not attending duty since the year 2012; that further, Sri.Y.S.Chandra Sekhar Shastri, Purohit who was working on regular basis was retired on 31.8.2010 and Sri.M.V.Panduranga Sharma, Purohit retired from service on 31.8.2013, and from then onwards, I am alone performing the duties of purohit in the temple.

9. I submit that, though there is need for appointment of regular purohit and the fact that I have been working since more than 13 years, the 2<sup>nd</sup> respondent issued proceedings L.Dis.No.C1/26758/2016 dated 15.03.2017, rejecting to regularise my services, stating that there was ban imposed by the government, and instead authorised the 3<sup>rd</sup> respondent to fix my remuneration on par with the regular Archaka working in the Devasthanam.

10. I submit that, in view of my representation dated 9.4.2018 to increase my salary whenever there is a raise in salary for the regular Archakas, the

3rd respondent addressed letter Rc.No.A1/2171/2018 dated 14.5.2018, requesting permission from the 2nd respondent to increase my remuneration whenever there is an increase of salary for the Regular Archaka. I submit that, the said representation and recommendation was not considered by the 2nd respondent.

10. I submit that, I have made another representation on 26.10.2018 seeking regularisation of my services and my representation was forwarded by the 3rd respondent through its recommendation vide proceedings Rc.No.A1/3339/2006 dated 05.11.2018, stating that I am the only purohit working on contract basis and performing all the duties of a regular purohit such as performing Abhishekams for Srivaru and Ammavaru for 3 times a day, performing Mahanyasa Rudrabhishekham 4 times a day, Nitya Kalyanostavams, Suprabhatha Seva, MahasivaratriBrahmostavams, yagasala poojas and other rituals at 19 associated temples, and requested to pass appropriate orders for my representation. A similar representation was made by me on 16.8.2019, and it was again forwarded by the 3rd respondent by his recommendatory letter vide Rc.No.A1/3339/2006 dated 16.8.2019, which was not considered as yet. I have again made representation dated 6.1.2021 to the 2nd respondent to regularise my services.

11. I submit that, the Government issued Government's memo No.REV011-ENDW/28/2021 - ENDT-1 dt 22.01.2021 for implementation of 'Extension of pay scale to Purohits in Archaka Scale'. The Commissioner, Endowments forwarded the said government memo and asked the 3rd respondent to submit a report by his letter dated 14.7.2021 for consideration of implementation of 'Extension of pay scale to Purohits in Archaka Scale' in my case. The 3rd respondent submitted his report to the

2nd respondent favourably for extension of pay scale, and important aspects mentioned in the said report, is as under:

a. That Sri.A.V.V.S.D.V. Prasad Sharma submitted that he has been working in the Devasthanam since last 16 years on contract basis, and performing regular 3 time Abhishekams at Sri Swamy and Ammavaru regularly and also performing 4 time Mahanyasa Rudrabhishekams, Nitya Kalyanostavams, Suprabhatha seva, Mahasivaratri Brahmostavams, Yagasala poojas and rituals at associated temples every months etc., as the regular purohits retired from service i.e., from 2013.

b. That there are 19 temples associated with the Devasthanam and Regular Purohits were required for performing Sri Swamy Ammavarla Suprabhatha Seva, Swamy Ammavarla three time Abhishekams, 4 time Mahanyasa Poorvaka Ekadasa Rudrabhishekams, Sri Swamy Ammavarla Nitya Kalyanostavams, Deeparadhana, Manthra Pushpam, and Yaagasala poojas performed during auspicious days and during Mahasivaratri Brahmostavams, but since there were no regular purohits, Sri.A.V.V.S.D.V. Prasad Sharma, Purohit is alone working and timely performing poojas/rituals without interruption and without any remarks. Presently there are 2 purohit posts vacant in the Devasthanam.

c. That Sri.A.V.V.S.D.V. Prasad Sharma, Contract purohit has passed 'Pravesha exam' with Serial No. 330029 conducted by the Endowments Department as per G.O.Rt.No.261 Revenue (Endts-II) department dated 20.05.2002, but has exceeded 38 years of age if age is taken into account as per G.O.Ms.No.261.

12. I submit that, Section 36 prescribes qualifications for Archakas. The Rules made by the Government vide G.O.Ms. No. 261, dated 20.05.2002, (The

A.P.Charitable and Hindu Religious Institutions and Endowments Archakas and other Office Holders and Servants Qualification and Endowments Rules) in relation to Section 35(3) of the Endowments Act, prescribed qualification of Archakas and other temple servants. I submit that, I am having all the qualification as per Section 36 to hold the post of Archaka and also the post of purohits and Veda Paranayadars as I have also passed agama exam in Krishna Yajurveda. I submit that, Note 1 of schedule I of G.O.Ms.No.261 dated 20.5.2002, the word 'purohit', includes any purohit performing the Abhishekham, Vratams, Marriages and Upanayanams of the individuals and vahana poojas etc., I submit that, I have been performing all the rituals like abhishekham and Kalyanostavams at the temple since last 18 years, and hence, I am eligible for appointment as regular Purohit at the temple as the 3<sup>rd</sup> respondent repeatedly informed the 2<sup>nd</sup> respondent that there is a need for regularisation of my post as I have been performing all the rituals at the temple and also at 19 associated temples. The reports and recommendations of the 3<sup>rd</sup> respondents vide procs dated 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019 and 30.07.2021 speaks for itself and my experience as purohit for the last 18 years is a matter of record. I submit that, regarding my age, I was appointed as contract purohit in the year 2004, i.e., when I was 26 years old and the first proposal for my regularisation made by the 3<sup>rd</sup> respondent was in the year 2011, but the respondent No.2 did not consider my case for regularisation, though many others were regularised in other temples. In any case, according to rule 15 of the rules framed in G.O.Rt.No.261 Revenue (Endts-II) department dated 20.05.2002, the Commissioner, Endowments (2<sup>nd</sup> respondent) is empowered to relax the upper age limit of any of the post

mentioned in the said rules if it may appear to him as just and equitable. I submit that, in any case, the upper age limit is only for fresh appointment, but not regularisation or a long standing employee who has ample experience in performing the duties.

13. I submit that, I have continued in service for more than 18 years performing the duties of a purohit i.e., in continuous service for long time without any protection of interim orders from this Hon'ble court, and that makes me eligible to be considered for regularisation as a one-time measure as per para 53 of judgement in 'State of Karnataka v. Umadevi' was rendered on 10.4.2006 (reported in 2006 (4) SCC 1). The said principle was again reiterated by the Apex Court in State of Karnataka v. M.L. Kesari. I submit that, the Committee constituted by the 1st respondent vide G.O.Ms.No.1303 Rev (endts-I) dept dated 20.10.2010, submitted its report under the head 'Report of the committee on Service issues of Temple employees', recommended for regularising of contingent, NMR employees who have put in 10 years of continuous service and to be accommodated in the posts which are kept vacant for a long time. As per the Judgement of the Apex Court and the report, I am entitled for regularisation.

14. I submit that, I have put up more than 18 years of continuous service as on today, and there are two (2) posts of purohits are vacant in the cadre strength of the temple as per the report of the Executive officer of the 3<sup>rd</sup> respondent Devasthanam dated 16.08.2019. I submit that, inspite of the repeated requests and recommendations made by the 3<sup>rd</sup> respondent, the 2<sup>nd</sup> respondent did not consider regularisation of my services as regular purohit, though the services of many employees in other temples were regularised in due course of time, inspite of the so-called ban. The said action of the 2<sup>nd</sup>

respondent would amount to invidious discrimination and therefore violation of Article 14, 16 and 21 of the Constitution of India.

15. I have no other alternative remedy than to approach this Hon'ble Court by invoking its extraordinary jurisdiction under Article 226 of the Constitution of India.

16. I have not filed and other petition or application before any other forum or court, seeking the same relief or reliefs' sought for in this writ petition.

17. Under the circumstances stated above, it is therefore prayed that this Hon'ble Court may be pleased to direct the respondents No.1 and 2 to consider regularisation of the services of the petitioner as purohit as per the reports made by the 3<sup>rd</sup> respondent vide reports dated 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019, recommending the case of the petitioner for regularisation of his service in the existing vacancy in the post of purohit, in the interest of justice, pending disposal of the above writ petition, and pass such other order or orders as this Honble Court may deem fit and proper.

18. For the reasons stated above, it is therefore prayed that this Hon'ble court may be pleased to issue an order or directions, more particularly, one in the nature of mandamus,

- a) declaring the action of the 1<sup>st</sup> and 2<sup>nd</sup> respondents in not regularising/absorbing the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam in spite of the recommendations made by the Executive officer of the

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3<sup>rd</sup> respondent Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019, as illegal and contrary to law;

b) direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents to regularise/absorb the service of the petitioner in the existing vacancy in the post of purohit in the 3<sup>rd</sup> respondent Devasthanam, as per of the recommendations made by the Executive officer of the 3<sup>rd</sup> respondent Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019 on par with other employees of the other temples whose services were regularised by the respondents, and to give all consequential benefits;

c) And pass such other order or orders as this Hon'ble court may deem fit and proper.

Sworn and signed before me,  
On this        day of June, 2022.

Deponent

Advocate, Vijayawada.

**VERIFICATION**

I, A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri, Aged about 44 years, working as Purohit (Contract basis), Sri Kalahasteeswara Swamyvari Devasthanam, Sri Kalahasti, Sri Kalahasti Division, Tirupati District (formerly Chittoor Dt), AP, do hereby declare that the facts stated above, are true to my knowledge, information and belief.

Hence verified on this        day of June, 2022.

Deponent

Counsel for the petitioner.

To  
The Commissioner,  
Endowments Department,  
Gollapudi,  
VIJAYAWADA.

Srikalahasthi,  
Date: 18-08-2023.

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Respected Sir,

Sub: Endowments – A.V.V.S.D.V.Prasad Sharma working as PUROHIT on contract basis in Sri Kalahastheeswara Swamy Vari Devasthanam, Srikalahasthi since last 20 years – Regularization of my services in the clear existing (03) vacancies on par with others regularization – Request for implement the Hon'ble High Court orders in W.P.No.17212 of 2022 – Regarding.

- Ref: 1. Commissioner Endowments Cadre strength orders Rc. No. B2/19556/2011, dt.08-06-2011.  
2. Executive Officer, Sri Kalahasthi Devasthanam, Lr.Rc. No. A1/3213/2017, dt.09-09-2017.  
3. Executive Officer, Sri Kalahasthi Devasthanam, Lr.Rc.No. A1/3339/2006, dt.16-08-2019.  
4. Hon'ble High Court of A.P., orders dated:11-07-2023 in W.P.No.17212 of 2022

\*\*\*\*\*

I submit the following few lines for your kind consideration and early favourable orders.

I further submit that I was appointed as PUROHIT on contract basis and continuously working since last 20 years and attending duties of Sri Swamyvaru and Ammahari threekala Abhishekams, Pradoshakala 4 times, Mahanyasa Rudrabhishekams, Deeparadhana, Manthra Pushpam, Nithya Kalyanosthavam, Suprabhatha Seva, Mahasivaratri Brahmastavams, Yagasala Poojas and also attending Devasthanam Anubandha temple festivals etc Purohitha works attended by me only after retirement of regular Purohiths i.e., 2013 onwards in Sri Kalahastheeswara Swamy Temple without any interruption of temple duties. The Commissioner, Endowments Department has sanctioned three(03) cadre strength of Purohith posts to Sri Kalahasthi Temple. All the (03) three Purohiths are retired. At present three (03) Purohit posts are vacant. Therefore, I request the then Executive Officer of Sri Kalahasthi Devasthanam for regularization of my services in the clear existing vacancies. The E.O., Sri kalahasthi has submitted report to the Commissioner, Endowments for orders. But, the then Commissioner Endowments has sanctioned regular Purohit basic pay only without increments vide his Letter Dis.No.1/26758/2016, dated:15-03-2017.

I further submit that the basic pay sanctioned by the Commissioner, Endowments is not sufficient to lead my family and also due to hike of rates and rents. Based on that, I am suffering a lot to arrange lively hood to my family. Again I request the Executive Officer to regularize my services in the existing clear vacancies. The E.O., again recommended my name and submitted report to the Commissioner on 16-08-2019. But, so far I am not received any orders from the Office of the Commissioner, Endowments.

Contd...2



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:: 2 ::

I submit that those who are appointed on contract basis as Computer Operators were regularized after completion of 10 years service viz., Sri Bhrmaramba Mallikarjuna Swamy Devasthanam, Srisaillam, Sri Durga Malleswara Swamy vari Devasthanam, Vijayawada, Sri Dwaraka Tirumala Devasthanam, Sri Kanipaka Vinakaya Swami Vari Devasthanam, Kanipakam and Sri Yadagirigutta Narasimhas Swamy Devasthanam has appointed Purohiths. Copies are enclosed for ready reference.

I also submit that, but my request is not considered. Based on the that I approached the Hon'ble High Court of A.P. The Hon'ble High Court in W.P.No.17212 of 2022 has passed the orders is as follows:

**"The petitioner is appointed in the year 2004 and worked for nearly twenty years, the respondents are directed to consider the request made by the 3<sup>rd</sup> respondent and regularize the service of the petitioner on par with others those who are made in Government Memo.No.NDW/502/2019/Endts I(2), dated:20-02-2022 and Proceedings of the Commissioner Endowments dated:21-06-2022 and pass appropriate orders expeditiously within a period of two (02) months from the date of receipt of copy of this orders."**

Keeping in view of the above facts and Hon'ble High Court orders, I request the Commissioner, Endowments Department, Vijayawada for implementation of the Hon'ble High Court orders and the report submitted by the Executive Officer of Sri Kalahastheeswara Samy vari Devasthanam also keeping in view of 20 years of long service on contract basis for regularization of my services as was done in other temples.

Thanking you Sir,

Yours faithfully,

A.V.V.S.D.V. (A.V.V.S.D.V. PRASAD SHARMA)  
PUROHITH,

Sri Kalahastheeswara Swamyvari Devasthanam,

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GOVERNMENT OF ANDHRA PRADESH  
REVENUE (ENDOWMENTS.I) DEPARTMENT

Memo. No. REV01-ENDW/1033/2023-ENDW-I

Dated: 22/09/2023

Sub: Endowments Department - Representation of Sri A.V.V.S.D.V. Prasad Sharma, PUROHIT on contract basis in Srikalahastheeswara Swamy Vari Devasthanam, Srikalahasti. - Implementation of directions of Hon'ble High Court orders in WP No.17212/2022, dt. 11-07-2023 - Reg.

Ref: Representation received from Sri A.V.V.S.D.V. Prasad Sharma, PUROHIT, Srikalahastheeswara Swamy Vari Devasthanam, Srikalahasti, dated 31-08-2023.

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The representation together with Hon'ble High Court orders in WP No.17212/2022, dt. 11-07-2023, received in the reference cited is furnished herewith to Commissioner of Endowments, A.P., Vijayawada and he is requested to examine the representation in pursuance of the orders of Hon'ble High Court and to take necessary action in accordance with law duly furnishing the action taken report to the Government.

R. KARIKAL VALAVEN  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To  
The Commissioner of Endowments, A.P., Gollapudi, Vijayawada (w.e).

Copy to:  
Sri A.V.V.S.D.V. Prasad Sharma, Purohit,  
Srikalahastheeswara Swamy Vari Devasthanam, Srikalahasti, Nellore District  
The Executive Officer, Srikalahastheeswara Swamy Vari Devasthanam, Srikalahasti,  
Nellore District  
Sf/sc.

//FORWARDED::BY ORDER//

  
SECTION OFFICER

42  
To  
The Special Chief Secretary to Government,  
Revenue (Endowments) Department,  
A.P.Secretariat,  
AMARAVATI.



Respected Sir,

Sub: Endowments A.V.V.S.D.V.Prasad Sharma working as PUROHIT on contract basis in Sri Kalahastheeswara Swamy Vari Devasthanam, Srikalahasthi since last 20 years Regularization of my services in the clear existing (03) vacancies on par with regularization of similar cases in other temples - Request for implement the Hon'ble High Court orders in W.P.No.17212 of 2022, dt.11-07-2023 - Regarding.

- Ref: 1. Commissioner Endowments Cadre strength orders Rc.No.B2/19556/2011, dt.08-06-2011.  
2. Executive Officer, Sri Kalahasthi Devasthanam, Lr.Rc.No.A1/3213/2017, dt.09-09-2017.  
3. E.O., Sri Kalahasthi Devasthanam, Lr.Rc.No.A1/3339/2006, dt.16-08-2019.  
4. Hon'ble High Court of A.P., orders dt:11-07-2023 in W.P.No.17212 of 2022.  
5. My earlier representation dated:25-08-2003.  
6. Govt.Memo.No.REV01-ENDW/1033/2023-ENDW-1,dt.22-09-2023.

\$\$\$\$

I submit the following few lines for your kind consideration and early favourable orders.

In continuation of my earlier representation 5th cited submit that I was appointed as PUROHIT on contract basis and continuously working since last 20 years and attending duties of Sri Swamyvaru and Ammavari threekala Abhisekhams, Pradoshakala 4 times, Mahanyasa Rudrabhisekhams, Deeparadhana, Manthra Pushpam, Nithya Kalyanosthavam, Suprabhatha Seva, Mahasivaratri Brahmostavams, Yagasala Poojas and also attending Devasthanam Anubandha temple festivals etc Purohitha works attended by me only after retirement of regular Purohiths ie., 2013 onwards in Sri Kalahastheeswara Swamy Temple without any interruption of temple duties. The Commissioner, Endowments Department has sanctioned three(03)cadre strength of Purohith posts to Sri Kalahasthi Temple. All the (03) three Purohiths are retired. At present three (03) Purohit posts are vacant. The then Commissioner Endowments has sanctioned regular Purohit basic pay only without increments vide his Letter Dis.No.1/26758/2016, dated;15-03-2017.

I further submit that the basic pay sanctioned by the Commissioner, Endowments is not sufficient to lead my family and also due to hike of rates and rents. Based on that, I am suffering a lot to arrange lively hood to my Family. Again I request the Executive Officer to regularize my services in the existing clear vacancies. The E.O., again recommended my name and submitted report to the Commissioner on 16-08-2019. But, so far I am not received any orders from the Office of the Commissioner, Endowments.

p.t.o.

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:: 2 ::

I submit that those who are appointed on contract basis as Computer Operators were regularized after completion of 10 years service viz., Sri Bhramaramba Mallikarjuna Swamy Devasthanam, Srisailam, Sri Durga Malleswara Swamy vani Devasthanam, Vijayawada, Sri Dwaraka Tirumala Devasthanam, Sri Kanipaka Vinakaya Swami Vari Devasthanam, Kanipakam and Sri Yadagirigutta Narasimhas Swamy Devasthanam has appointed Purohiths.

I also submit that, but my request is not considered. Based on the that I approached the Hon'ble High Court of A.P., in W.P.No.17212/2022, dt:11-07-2023 has passed the orders is as follows:

"The petitioner is appointed in the year 2004 and worked for nearly twenty years, the respondents are directed to consider the request made by the 3<sup>rd</sup> respondent and regularize the service of the petitioner on par with others those who are made in Government Memo.No.NDW/502/2019/Endts.I(2), dated:20-02-2022 and Proceedings of the Commissioner Endowments dated:21-06-2022 and pass appropriate orders expeditiously within a period of two (02) months from the date of receipt of copy of this orders."

Keeping in view of the above facts and Hon'ble High Court orders dated:11-07-2023 two months time has granted for implementation of the orders, now already nearly 4 months elapsed. Once again I request the Special Chief Secretary to Government, Revenue (Endowments) Department, kindly to issue necessary instructions to the Commissioner, Endowments for implementation of the Hon'ble High Court orders as was done in similar cases in other temples and report submitted by the Executive Officer of Sri Kalahastheeswara Samy vari Devasthanam also keeping in view of 20 years of my long service on contract basis for regularization of my services.

Thanking you Sir,

A.V.V.S.D.V. (Signature)

Yours faithfully

(A.V.V.S.D.V. PRASAD SHARMA) PUROHITH,  
Sri Kalahastheeswara Swamyvari Devasthanam,

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o/c

Vijayawada.  
Date: 12.12.2023

To,

The Commissioner of Endowments, AP,  
Government of AP,  
Opp.S Grand Restaurant, One Center,  
Gollapudi, Vijayawada,  
NTR District, AP- 521225.

**LEGAL NOTICE**

Under the instructions of my client Sri. A.V.V.S.D.V. Prasad Sharma, S/o Satyanarayana Shastri, Aged about 44 years, working as Purohit (Contract basis), Sri Kalahasteswara Swamyvari Devasthanam, Sri Kalahasti, Sri Kalahasti Division, Tirupati District (formerly Chittoor Dt), AP, I hereby issue this legal notice, for your perusal and immediate action.

1. My client states that, he is fully qualified and eligible to hold that post of Archaka/Purohit and Veda Parayanadar at any temple in the State, and that his services was engaged as Purohit by Sri Kalahastheeswara Swamyvari Devasthanam, SriKalahasti in the year 2004. My client states that, he made several representation for regularization of his services in the existing vacant post of Purohit/Archakas.
2. My client states that the Executive Officer of the Devasthanam Submitted report to the Commissioner, Endowments on 8.7.2015 recommending to regularize his services stating that there is a need. The E.O of the Devasthanam again submitted proposals to the Commissioner, Endowments on 11.12.2016 stating that due to the retirement of the regular purohits, the petitioner alone is performing those duties. My client states that the E.O of the devasthanam by his letter dated 5.11.2018 recommended the regularization of my client's services as Purohit stating that he is performing all the duties of a regular purohit such as performing Abhishekams for Srivaru and Ammavaru for 3 times a day, performing Mahanyasa Rudrabhishekham 4 times a day, Nitya Kalyanostavams, Suprabhatha Seva, Mahasivaratri Brahmostavams, yagasala poojas and other rituals at 19 associated temples. My client time and again made representations, and they were not considered inspite of the recommendations made by the E.O of the temple.

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3. My client filed WP.No.17212/2022 aggrieved by the action in not regularising/absorbing the service of my client in the existing vacancy in the post of purohit in the Devasthanam inspite of the recommendations made by the Executive officer of the Devasthanam on 23.11.2011, 8.7.2015, 11.12.2016, 14.05.2018, 05.11.2018, 16.08.2019, as illegal.

4. I state that, the Hon'ble High Court after perusing the recommendations made by the Executive Officer of the Devasthanam and orders issued in favour of similar Archakas of other temples, allowed the writ petition by its order dated 11.7.2023, with the following direction:

"In instant case, as the petitioner was appointed in the year 2004 and worked for nearly twenty years, the respondents are directed to consider the request made by the 3rd respondent and regularize the service of the petitioner on par with others those who are made in Government Memo No.NDW/502/2019/Endt.I(2), dated 02.02.2022 and proceedings of the Commissioner Endowments dated 21.06.2022 and pass appropriate orders expeditiously within a period of two(2) months from the date of receipt of copy of this Order."

5. I state that, my client submitted several representations along with copy of the order of the Hon'ble High Court, but no action has been taken in implementation of the order of the Hon'ble High Court. Hence, my client is constrained to issue this legal notice.


6. Therefore, I hereby notify you to implement the orders of the Hon'ble court passed in WP.No.17212/2022 dated 11.7.2023 and consider absorbing my client's services as Purohit/Archaka by keeping view of his long service and experience in the Devasthanam, or else, my client would be advised to approach the Hon'ble High court by initiating appropriate legal action.

Copy to ,

1. The Principal Secretary, Revenue (Endowments, Department, AP Secretariat, Velagapudi, Guntur district.
2. Sri Kalahasteswara Swamyvari Devasthanam, Rep by its Executive officer, Sri Kalahasti, Sri Kalahasti Division, Tirupati District, AP. 517644.

Enclosure:

Order of the Hon'ble High Court in WP.No.17212/2022 dt 11.7.2023



N. BHARAT BABU  
ADVOCATE, HIGH COURT  
AMARAVATHI



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## Track Consignment

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\* Indicates a required field.

\* Consignment Number

RN516654874IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
A.P.High Court S.O	13/12/2023 12:36:07	521225	41.30	Registered Letter	Gollapudi S.O	15/12/2023 15:45:37

Event Details For : RN516654874IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
15/12/2023	15:45:37	Gollapudi S.O	Item Delivered(Addressee)
15/12/2023	09:04:57	Gollapudi S.O	Out for Delivery
15/12/2023	08:17:15	Gollapudi S.O	Item Received
15/12/2023	05:49:34	Vijayawada RS TMO	Item Dispatched
14/12/2023	18:47:44	Vijayawada RS TMO	Item Received
14/12/2023	15:53:57	Vijayawada RMS L1R	Item Dispatched
14/12/2023	14:42:53	Vijayawada RMS L1R	Item Bagged
14/12/2023	10:07:07	Vijayawada RMS L1R	Item Received
14/12/2023	00:50:40	Vijayawada RS TMO	Item Dispatched
14/12/2023	00:47:57	Vijayawada RS TMO	Item Received
13/12/2023	22:53:24	Guntur RS TMC	Item Dispatched
13/12/2023	22:30:14	Guntur RS TMO	Item Received
13/12/2023	22:25:14	Guntur RMS L2R	Item Dispatched
13/12/2023	22:13:35	Guntur RMS L2R	Item Bagged
13/12/2023	20:58:13	Guntur RMS L2R	Item Received
13/12/2023	16:53:29	A.P.High Court S.O	Item Dispatched
13/12/2023	15:33:08	A.P.High Court S.O	Item Bagged
13/12/2023	12:36:07	A.P.High Court S.O	Item Booked



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## Track Consignment

Quick help

\* Indicates a required field.

\* Consignment Number

RN516655035IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
A.P.High Court S.O	13/12/2023 12:36:07	517644	41.30	Registered Letter	Srikalahasti H.O	18/12/2023 16:04:50

Event Details For : RN516655035IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
18/12/2023	16:04:50	Srikalahasti H.O	Item Delivered(Addressee)
18/12/2023	10:25:39	Srikalahasti H.O	Out for Delivery
18/12/2023	08:56:59	Srikalahasti H.O	Item Received
16/12/2023	04:35:20	Tirupati TMO	Item Dispatched
16/12/2023	04:26:40	Tirupati TMO	Item Received
16/12/2023	03:00:03	Tirupathi RMS L1R	Item Dispatched
16/12/2023	01:48:59	Tirupathi RMS L1R	Item Bagged
15/12/2023	17:39:56	Tirupathi RMS L1R	Item Received
15/12/2023	16:19:51	Tirupathi RMS L1R	Item Bagged
15/12/2023	11:25:56	Tirupathi RMS L1R	Item Received
15/12/2023	09:52:42	Tirupati TMO	Item Dispatched
15/12/2023	09:47:33	Tirupati TMO	Item Received
15/12/2023	04:13:17	Nellore TMO	Item Dispatched
15/12/2023	03:29:51	Nellore TMO	Item Received
14/12/2023	09:24:50	Vijayawada PH	Item Dispatched
14/12/2023	00:40:48	Guntur RS TMO	Item Dispatched
14/12/2023	00:23:34	Guntur RS TMO	Item Received
14/12/2023	00:16:13	Guntur RMS L2R	Item Dispatched
13/12/2023	23:41:17	Guntur RMS L2R	Item Bagged



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13/12/2023	20:58:13	Guntur RMS L2R	Item Received
13/12/2023	16:53:29	A.P.High Court S.O	Item Dispatched
13/12/2023	15:33:08	A.P.High Court S.O	Item Bagged
13/12/2023	12:36:07	A.P.High Court S.O	Item Booked

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**GOVERNMENT OF ANDHRA PRADESH  
REVENUE (ENDOWMENTS.I) DEPARTMENT**

**Memo.No.REV01-ENDW/1033/2023-ENDT-I(2)**

**Dated:21/01/2024**

**Sub:** Endowments Department - Representation of Sri A.V.V.S.D.V.Prasad Sharma, PUROHIT on contract basis in Srikalahastheeswara Swamy Vari Devasthanam, Srikalahasti - Implementation of directions of Hon'ble High Court orders in WP No.17212/2022, dt. 11-07-2023-Reg.

**Ref:** 1.Representation received from Sri A.V.V.S.D.V.Prasad Sharma, PUROHIT on contract basis in Srikalahastheeswara Swamy Vari Devasthanam, Srikalahasti Dated 31.08.2023.  
2.Govt.memo.No. REV01-ENDW/1033/2023-ENDT-I dated:22.09.2023  
3.Representation dt. Nil of Sri A.V.V.S.D.V. Prasad Sharma, Purohit, Srikalahastheeswara Swamy Vari Devasthanam along with its documents.

\*\*\*

The attention of the Commissioner of Endowments Department is invited to the reference 2<sup>nd</sup> cited wherein he was requested to examine the representation 1<sup>st</sup> cited in pursuance of the orders of Hon'ble High Court and to take necessary action in accordance with law duly furnishing the action taken report to the Government. No report is received from them so far.

2. In continuation of the memo cited, a copy of the reference 3<sup>rd</sup> cited is here with furnished. The Commissioner of Endowments Department is therefore requested to examine the representations of the individual in pursuance of the orders of Hon'ble High Court and to take necessary action in accordance with law duly furnishing the action taken report to the Government immediately without fail.

**R.KARIKAL VALAVEN  
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To  
The Commissioner, Endowments Department,  
Govt., of A.P. Gollapudi, Vijayawada-52 1 225.  
P.S. to Special Chief Secretary (Endts.).  
Sf/sc.

**//FORWARDED::BY ORDER//**

*Gpavaly*  
**SECTION OFFICER**

GP  
Embrowment

GUNTUR DISTRICT

HIGH COURT OF ANDHRA  
PRADESH : AT AMARAVATHI

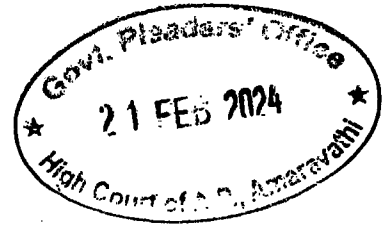
CC.No. of 2024

IN

WP.NO. 17212 of 2022

Ends

CONTEMPT PETITION



FILED ON

FILED BY

N.BHARAT BABU (8985)  
DR.Y.RAGHAVA  
SMT.P.SAI BHARATHI  
Advocates  
COUNSEL FOR THE  
PETITIONER

303, Silver springs Apartments,  
LIC colony, Vijayawada, NTR District, AP,  
Ph.9849182766 (for service purpose only)

