

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

C.C. No. of 2025

in

W.P. No. 16377 of 2022

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Amaravati,
Date: 29.01.2025

D.V. S.
COUNSEL FOR THE PETITIONER

①

(Under Sec.10 to 12 of Contempt case of contempt Courts Act 1971)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI.

C.C. No. of 2025

In

WP No. 16377 of 2022

Between:

P. Uma Maheswara Sastry,
S/o. Late Venkateswarlu
Aged about 62 Years, Occ: Archaka of
Sri Omkara Bhagavath Gita Vedantha
Annadhana Ashramam,
Vijayawada Urban, NTR District.

...Petitioner

AND

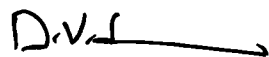
1. K.Rama Chandra Mohan,
Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.
2. P. Seetha Ramaya
The Assistant Commissioner,
Endowments Department,
Vijayawada.

...Respondents

The address for service of notices, process etc., on the above-named petitioner is that of his Counsel **Sri D.V.Sasidhar (10944), Advocate**, H.No.71-4-6, Patamata, Vijayawada, Krishna District.

For the reason stated in the affidavit filed in support of CC, It is therefore prayed, that Hon'ble Court may be pleased to punish the respondents under Sections 10 to 12 of The Contempt of Courts Act, 1971 for willful violation, flouting and disobeying the orders of this Hon'ble Court passed in WP 16377/2022 dated 30.08.2024 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Place : Vijayawada
Date : 28.01.2025


Counsel for the Petitioner

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

C.C. No. of 2025

Between:

P. Uma Maheswara Sastry,
S/o. Late Venkateswarlu
Aged about 62 Years, Occ: Archaka of
Sri Omkara Bhagavath Gita Vedantha
Annadhana Ashramam,
Vijayawada Urban, NTR District.

...Petitioner

AND

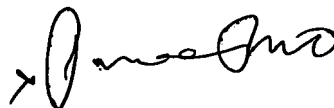
1. S.Satyanarayana, I.A.S
The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.
2. P. Seetha Ramaya
The Assistant Commissioner,
Endowments Department,
Vijayawada.

...Respondents

AFFIDAVIT

I, P. Uma Maheswara Sastry, S/o. Late Venkateswarlu, aged about 61 Years, Occ: Archaka of Sri Omkara Bhagavath Gita Vedantha Annadhana Ashramam, Vijayawada Urban, NTR District, do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the deponent and the petitioner herein as such I am well acquainted with the facts of the case.
2. It is submitted that the writ petition is filed challenging the action of the respondents 2 and 3 in not paying the salaries from August 2021 to till



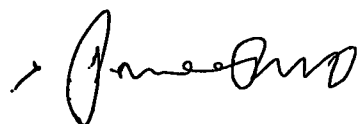
3

date as bad, Illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 16, 21 & 300A of Constitution of India.

3. I submit that the W.P was disposed of on 30-08-2024 observing as follows:

"Upon hearing the submissions of both learned counsel, this Court feels it appropriate to dispose of the writ petition by directing the respondents 2 and 3 to release the arrears of salary to the petitioner, in pursuance of the report submitted by the 3rd respondent to the 2nd respondent vide R.C.No.B2/E.No.1061452, dated 14.12.2021, within a period of three (03) months from the date of receipt of a copy of this order."

4. I submit that there after I have submitted representation on 30-12-2024 enclosing the web order copy. Thereafter the 1st respondent herein has issued Memo in Rc.No.COE-24026/2023 Dated. 11/09/2024. directing the 2nd respondent herein to release differential remuneration of Rs.625/- thereafter, I was paid an amount of Rs.25,625/- instead of paying Rs.3,20,000/- (40 months X 8000) as per the report of the then Assistant Commissioner Vijayawada, Dated 14-12-2021
5. I submit that the directions of this Hon'ble Court are interpreted as per their whims and fancies and the orders are flouted as such the respondents are liable for punishment under the Contempt of Courts Act; 1971.

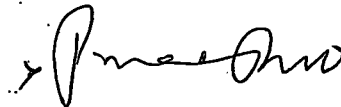


(u)

6 I submit that the respondents did not have any respect towards the orders of this Hon'ble Court and they are is willfully and wantonly violating the orders, as such they are liable for punishment under the Contempt of Courts Act.

It is therefore prayed, that this Hon'ble Court may be pleased to punish the respondents under Sections 10 to 12 of The Contempt of Courts Act, 1971 for willful violation, flouting and disobeying the orders of this Hon'ble Court passed in WP 16377/2022 dated 30.08.2024 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

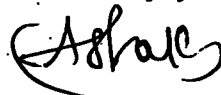
Sworn and signed on before me on
this 29th day of January, 2025
at Vijayawada.



DEPONENT



Advocate, Vijayawada

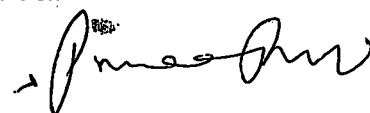


VERIFICATION

I, P. Uma Maheswara Sastry, S/o. Late Venkateswarlu, aged about 62 Years, Occ: Archaka of Sri Omkara Bhagavath Gita Vedantha Annadhana Ashramam, Vijayawada Urban, NTR District, do hereby declare that the contents in above paragraphs are true and correct to the best of my knowledge and belief and, hence verified on this the 29th day of January, 2025 at Vijayawada.



Advocate



Deponent

①

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

FRIDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HON'BLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 16377 OF 2022

Between:

P. Uma Maheswara Sastry, S/o. Late Venkateswarlu Aged about 61
Years, Occ: Archaka of Sri Omkara Bhagavath Gita Vedantha
Annadhana Ashramam, Vijayawada Urban, NTR District.

...PETITIONER

AND

1. The Special Chief Secretary, Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada,
Krishna District.
3. The Assistant Commissioner, Endowments Department, Vijayawada.
4. The Executive Officer, Sri Omkara Bhagavath Gita Vedantha,
Annadhana Ashramam, Vijayawada Urban, NTR 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

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be pleased to issue an appropriate Writ order or direction more particularly, one in the nature of Writ of Mandamus, declaring the action of the respondents 2 and 3 in not paying the salaries from August 2021 to till date to the petitioner from Archaka Welfare Fund as bad, Illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 21, 25 and 300A of Constitution of India and consequently direct the respondents 2 and 3 to forthwith pay the arrears of salaries and continue to pay the salaries to the petitioner from Archaka Welfare Fund.

IA NO: 1 OF 2022

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 2 and 3 to release the arrears of salaries to the petitioner.

Counsel for the Petitioner: Sri D V Sasidhar

Counsel for the Respondents 1, 2 & 3: GP for Endowment

Counsel for the Respondents 4: Sri K. Madhava Reddy (SC for Endowment)

The Court made the following: ORDER

APHC010278012022



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

[3310]

FRIDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 16377/2022

Between:

P. Uma Maheswara Sastry,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. D V SASIDHAR

Counsel for the Respondent(S):

1. PADMAVATHI PADNAVIS

2. GP FOR ENDOWMENTS

3. GP FOR SERVICES II

The Court made the following:

ORDER:

The Writ Petition is filed under Article 226 of the Constitution of India,
seeking the following relief:

".....declaring the action of the respondents 2 and 3 in not paying the salaries from August 2021 to till date to the petitioner from Archaka Welfare Fund as bad, Illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 21, 25 and 300A of Constitution of India and consequently direct the respondents 2 and 3 to forthwith pay the arrears of salaries and continue to pay the salaries to the petitioner from Archaka Welfare Fund and pass such other order or orders....."

2. The grievance of the petitioner is that initially he was appointed as Archaka in two temples at Vijayawada by the 3rd respondent vide proceedings in D.Dis.No.A1/3561/1999, dated 29.09.1999 on a total salary of Rs.10,500/- per month and he worked in the said two temples without any remarks from any corner. While so, he was paid the salary of Rs.8,000/- from the Archaka Welfare Fund from August 2021. As such, he made representation to the 3rd respondent seeking release of arrears from Archaka Welfare Fund. Thereafter, he made another representation to the 2nd respondent on 01.05.2022 requesting release of salary from August, 2021, who in turn, directed the 3rd respondent to submit report. But even as on today, no single paise paid to the petitioner. Hence the present writ petition came to be filed.

3. The 4th respondent has filed counter. While denying the contents of the writ petition, has submitted that, the 4th respondent has made payment of salary to the petitioner honoring the terms of payment as agreed till date and more over, the petitioner discharges duties of Archakatwam in Sri Lakshmi Narasimha Swamy Mandir, which was adopted by Sri Durga Malleswari

(9)

Swamy Varla Devasthanam, Indrakeeladri, Vijayawada and the said temple would effect payment of salary in realization of his entitlement and therefore, the petitioner is not entitled to insist upon payment of salary from Archaka Welfare Fund created in terms of Section 65A of the Endowments Act, 30/1987 and the salary of the petitioner was enhanced from time to time. In fact, the petitioner has been in receipt of Rs.27,600/- totally per month. Further submitted that Archaka Code No.12428 was assigned to the petitioner in respect of Sri Lakshmi Narasimha Swamy Mandir, as such he is entitled to payment of salary for the services rendered in the said institution only. Therefore, the 4th respondent is not liable to effect remittance of payment of salary to the petitioner. Hence sought for dismissal of the writ petition.

4. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Endowments, appearing for the respondents 1 to 3 and Mrs.Padmavathi Padnavis, learned Standing Counsel, appearing for the 4th respondent.

5. Upon hearing the submissions of both learned counsel, this Court feels it appropriate to dispose of the writ petition by directing the respondents 2 and 3 to release the arrears of salary to the petitioner, in pursuance of the report submitted by the 3rd respondent to the 2nd respondent vide R.C.No.B2/E.No.1061452, dated 14.12.2021, within a period of three (03) months from the date of receipt of a copy of this order.

6. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, interlocutory applications, if any pending, shall stand closed.

//TRUE COPY//

Sd/- U. SRIDEVI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Chief Secretary, Revenue (Endowments) Department, Secretariat, Velgapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada, Krishna District.
3. The Assistant Commissioner, Endowments Department, Vijayawada.
4. The Executive Officer, Sri Omkara Bhagavath Gita Vedantha, Annadhana Ashramam, Vijayawada Urban, NTR District.
5. One CC to Sri D.V.Sasidhar, Advocate [OPUC]
6. Two CCs to GP for Endowment, High Court Of Andhra Pradesh. [OUT]
7. One CC to Sri K. Madhava Reddy, SC for Endowment. [OPUC]
8. One CC to M/s. Padmavathi Padnavis, Advocate [OPUC]
9. Two CCs to GP for Services-II High Court of Andhra Pradesh. [OUT]
10. Three CD Copies.

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HIGH COURT

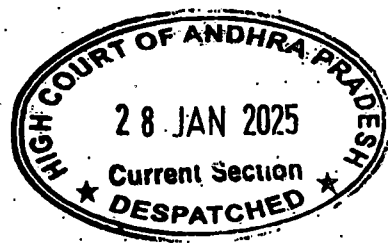
DRKMR,J

MLM

DATED: 30/08/2024

ORDER

WP.No.16377 of 2022



DISPOSING OF WP WITHOUT COSTS

(12)

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

IN THE HIGH COURT OF ANDHRA PRADESH AT : AMARAVATHI.

W.P.No. 16377 of 2022

Between:

P. Uma Maheswara Sastry,
S/o. Late Venkateswarlu
Aged about 61 Years, Occ: Archaka of
Sri Omkara Bhagavath Gita Vedantha
Annadhana Ashramam,
Vijayawada Urban,
NTR District.

...Petitioner

AND

1. The State of Andhra Pradesh
Rep. by its Special Chief Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.
2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.
3. The Assistant Commissioner,
Endowments Department,
Vijayawada.
4. Sri Omkara Bhagavath Gita Vedantha
Annadhana Ashramam,
Vijayawada Urban,
NTR District
Rep. by its Executive Officer

...Respondents

The address for service of notices, process etc., on the above-named petitioner is that of his Counsel Sri D.V. Sasidhar (10944), Advocate, H.No.72-3-6, Patamata, Vijayawada, Krishna District.

For the reasons stated in the accompanying affidavit filed in the support of the above writ petition, it is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate Writ order or direction more particularly, one in the nature of Writ of Mandamus, declaring the action of the respondents 2 and 3 in not paying the salaries

from August 2021 to till date to the petitioner from Archaka Welfare Fund as bad, Illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 21, 25 & 300A of Constitution of India and consequently direct the respondents 2 and 3 to forthwith pay the arrears of salaries and continue to pay the salaries to the petitioner from Archaka Welfare Fund and pass such other order or orders in the interest of justice.

AMARAVATHI
Date:16-06-2022


COUNSEL FOR THE PETITIONER

14
DISTRICT :: KRISHNA

**IN THE HIGH COURT OF
ANDHRA PRADESH AT
AMARAVATI**

W.P. No. 16377 of 2022

WRIT PETITION

Filed on: 15.06.2022

FILED BY:

**SRI D.V.SASIDHAR(10944)
ADVOCATE
COUNSEL FOR THE PETITIONER**

15

IN THE HIGH COURT OF ANDHRA PRADESH AT : AMARAVATHI.

W.P.No. 16377 of 2022

Between:

P. Uma Maheswara Sastry,
S/o. Late Venkateswarlu
Aged about 61 Years, Occ: Archaka of
Sri Omkara Bhagavath Gita Vedantha
Annadhana Ashramam,
Vijayawada Urban,
NTR District.

...Petitioner

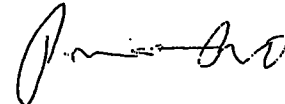
AND

1. The State of Andhra Pradesh
Rep. by its Special Chief Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.
2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.
3. The Assistant Commissioner,
Endowments Department,
Vijayawada.
4. Sri Omkara Bhagavath Gita Vedantha
Annadhana Ashramam,
Vijayawada Urban,
NTR District
Rep. by its Executive Officer

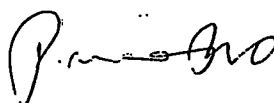
...Respondents

AFFIDAVIT

I, P. Uma Maheswara Sastry, S/o. Late Venkateswarlu,
aged about 61 Years, Occ: Archaka of Sri Omkara Bhagavath
Gita Vedantha Annadhana Ashramam, Vijayawada Urban, NTR
District, do hereby solemnly affirm and sincerely state on oath
as follows:



1. I am the deponent and the petitioner herein as such I am well acquainted with the facts of the case.
2. It is submitted that the present writ petition is filed challenging the action of the respondents 2 and 3 in not paying the salaries from August 2021 to till date as bad, Illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 16, 21 & 300A of Constitution of India.
3. I submit that I was appointed in the following Group Temples at Vijayawada vide proceedings of the then Assistant Commissioner, Endowments Department, Vijayawada vide proceedings in D.Dis. No.A1/3561/1999 dated 29-9-1999 and my salaries are apportioned as mentioned below:
 - a. Sri Omkara Bhagavath Gita Vedantha Annadhana Ashramam - Rs.250/-
 - b. Sri Lakshmi Narayana Swamy Temple - Rs.350/-
4. I submit that since the date of my initial appointment, I am working in the above temples without any remarks from any corner.
5. I submit that at present I am paid as follows from the 4th respondent temple:
 - a. Rs.2,500/- from Temple Fund
 - b. Rs.1,000/- towards Paditharam
 - c. Rs.8,000/- from Archaka Welfare Fund
 - d. Total - Rs.10,500/-



(17)

6. I submit that I am paid Rs.2,500/- + Rs.1,000/- by the 4th respondent Temple, but coming to the payment of Rs.8,000/- from the Archaka Welfare Fund. The salary from the said fund is not paid to me from August 2021, as such I have submitted representation to the 3rd respondent. In turn, the 3rd respondent has sought report from the Executive Officer and thereafter submitted his report in Rc. No.B2/E.No.1061452/2021 dated 14-12-2021 to the 2nd respondent informing, that I have not been paid salaries from August 2021 and requested to release the arrears from Archaka Welfare Fund.
7. I submit that thereafter I have submitted representation to the 2nd respondent on 1-5-2022, requesting that I am not getting salaries from August 2021. In turn, the 2nd respondent issued a Memo in Rc. No.COE-24026/59/2022 dated 6-5-2022 directing the 3rd respondent to submit report why the remuneration is not paid to me even after the remuneration was released from the office of the Commissioner, Endowments Department.
8. I submit that thereafter, I have approached the office of the 3rd respondent and I was made to run from pillar to post by the office of the 3rd respondent to get my arrears salaries, but as on today not even single paise is paid to me. Further I am due Rs.8,000/- per month from August

P. Ananthu

2021 to till date i.e., 10 months totaling to Rs.80,000/-.

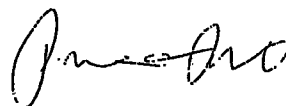
Hence seeking payment of the same, the present writ petition is filed.

9. I submit that my family is depending upon my salaries. If my salaries are not paid, I will be put to irreparable loss and injury and the same cannot be compensated by any means.

10. The petitioner has no other alternative and efficacious remedy except to approach this Hon'ble Court under Article 226 of constitution of India.

11. The petitioner has not filed any suit, application or petitions before any court of law and we have not sought for any similar relief.

In the above mentioned circumstances, it is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate Writ order or direction more particularly, one in the nature of Writ of Mandamus, declaring the action of the respondents 2 and 3 in not paying the salaries from August 2021 to till date to the petitioner from Archaka Welfare Fund as bad, Illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 21, 25 & 300A of Constitution of India and consequently direct the respondents 2 and 3 to forthwith pay the arrears of salaries and continue to pay the

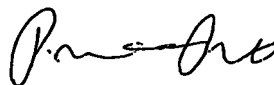


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salaries to the petitioner from Archaka Welfare Fund and pass such other order or orders in the interest of justice.

Pending disposal of the writ petition it is therefore prayed that this Hon'ble Court may be pleased to direct the respondents 2 and 3 to release the arrears of salaries to the petitioner and pass such other order or orders in the interest of justice.

Solemnly affirmed and signed
on this the day of June, 2022,
at Amaravathi.



DEPONENT

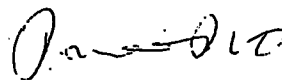
Advocate : Vijayawada

VERIFICATION

I, P. Uma Maheswara Sastry, S/o. Late Venkateswarlu, aged about 61 Years, Occ: Archaka of Sri Omkara Bhagavath Gita Vedantha Annadhana Ashramam, Vijayawada Urban, NTR District, do hereby declare that the contents in the above paragraphs are true and correct to the best of my knowledge and belief, hence verified on this the day of June, 2022 at Amaravathi.



Advocate



Deponent

I/1020243/2024

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Office of the Commissioner,
Endowments Department,
A.P., Vijayawada.

Memo in Rc. No. COE-24026/23/2023 Dated. 11/09/2024.

Sub: Endowments Department - AWFT - Differential Remuneration to Sri Parimi Umamaheswara Rao, Archaka of Sri Omkara Bhagavat-Gita Vedanta Annadana Ashramam & Sri Lakhmi Narayana Mandiram Vijayawada – Sanctioned Orders Issued.

Ref: 1. .Rc.No.B2/1061452/2024 Date.18.06.2024 from the District Endowments Officer, Endowments Department, NTR District, Vijayawada.
2. This Office proceedings in Rc. No.A1/22731/2014 Dated.14.03.2017
3. G.O. MS No.52 General Administration (Sc-II) Dated.14.05.2021

In the circumstances reported by the District Endowments Officer, Vijayawada, in the reference 1st cited and Government orders issued vide reference 2nd & 3rd cited the Commissioner hereby sanctioned an amount of Rs.625/- differential Remuneration is sanctioned from the Funds of Archaka Employees Remuneration Fund to Sri Parimi Umamaheswara Sastry@ Uma Maheswara Rao, Archaka of Sri Lakshmi Narayana Swamy Mandiram and Sri Omkara Bhagavat- Gita Vedanta Annadana Ashramam, Gulabh Chand street, Vijayawada.

The District Endowments Officer, Vijayawada is hereby directed to pay the differential Remuneration of Rs.625/- per month including arrears if any as per the records.

S Satyanarayana
Commissioner

To

1. The District Endowments Officer, Endowments Department, NTR District, Vijayawada.
2. Copy to the Executive Officers of Sri Omkara Bhagavatgeetha Vedanta Annadana Ashramam, & Sri Lakshmi Narayana Swamy mandiram Vijayawada (Through -1).
3. Copy to Sri Parimi Umamaheswara Rao, Archaka of Sri Omkara Bhagavat-Gita Vedanta Annadana Ashramam & Sri Lakhmi Narayana Mandiram Vijayawada (Through -1).

Digitally Signed by S
Satyanarayana

Date: 11-09-2024 12:51:47

Reason: Approved

Gp

DISTRICT : KRISHNA

IN THE HIGH COURT OF ANDHRA
PRADESH AT AMARAVATHI

C.C. No. of 2025
In
WP No. 16377 of 2022

CONTEMPT PETITION

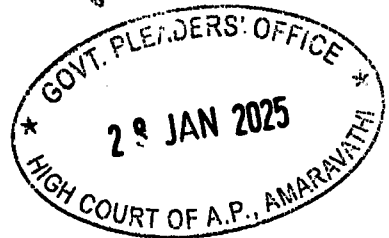
Endow

cf-101—
v-2502

Filed on :

Presented on :

Filed by :



SRI D.V.SASIDHAR (10944)

Counsel for the Petitioner

R1. R2. Gp for Endowment

7-10-223 7715

Acknowledgement No.:



REV070211123

Wednesday, Jan 29, 2025 15:09:00 PM

APOLCMS