

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. of 2025

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Amaravathi,
Dated: 24.04.2025.

Counsel for the Petitioner

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MEMORANDUM OF WRIT PETITION
(Filed Under Art.226 of the Constitution of India)

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

W.P. No. of 2025

Between:

Muppalla Balakrishna,
S/o. Radhakrishna, aged about 38 years,
R/o. Nimalipuri Village, Rajupalem Mandal,
Palnadu District, A.P.

...Petitioner

And

1. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue (Endowments) Department,
Secretariat, Velagapudi, Amaravati.
2. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue Department,
Secretariat, Velagapudi, Amaravati.
3. The District Collector,
Palnadu District, Narasaraopet.
4. The Revenue Divisional Officer,
Sattenapalli Revenue Division,
Sattenapalli, Palnadu District.
5. The Tahsildar,
Rajupalem Mandal, Palnadu District.
6. The Commissioner,
Endowments Department,
Opp. S Grand Restaurant, One Center, Gollapudi,
Vijayawada, N.T.R. District, A.P.

7. The Deputy Commissioner,
Endowments Department,
Guntur Range,
opposite Gunta Ground, Kothapeta, Guntur,
Guntur District, A.P.
8. The District Endowments Officer,
Endowments Department,
Narasaraopet, Palnadu District.
9. The Manager,
Kodandarama Swamy and Anjaneya Swamy Temple,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
10. The Director General of Police,
A.P. Police Headquarters,
Mangalagiri, Guntur District, A.P.
11. The Superintendent of Police,
District Police Office,
Narasaraopet, Palnadu District, A.P.
12. The Deputy Superintendent of Police,
Sattenapalli Sub-Division,
Sattenapalli, Palnadu District, A.P.
13. The Circle Inspector of Police,
Sattenapalli Rural Circle,
Sattenapalli, Palnadu District, A.P.
14. The Sub-Inspector of Police,
Rajupalem Police Station,
Rajupalem, Palnadu District, A.P.
15. Sri Kodandarama Swamy Temple Trust,
Rep. by its Chairman Dodda Raghurama Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
16. Sri Kodandarama Swamy Temple Trust,
Rep. by its Secretary Annapureddy Bali Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.

...Respondents

The address for service of all notices and summons of process to the above named petitioner is that of his Counsel **M/s NARRA SRINIVASA RAO (13935), Godavarthi Kiran Babu, Mallampati Narendra Babu**, Advocates, Flat No.307, B-Block, Rushi Valley Apartments, Opp: ITC, Srinivasarao thota, Guntur, Guntur District, Andhra Pradesh.

For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue any writ, order or Direction more particularly one in the nature of writ of Mandamus declaring the impugned Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 issued by the Respondents No.15 and 16 under Sec.83(3) of A.P. Endowment Amendment Act, 2023 unilaterally ordering the Petitioner to vacate his private property in an extent of Ac.10.74 cents situated in Survey No.249/2B of Nemalipuri Village, Rajupalem Mandal, Palnadu District as illegal, arbitrary, Ab initio, untenable under law, against the principles of natural justice and in violation of The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and infringes the Petitioner's fundamental rights guaranteed under Articles 14, 19, 21 and 300-A of the Indian Constitution and consequently set aside the same and pass such other order or orders may deem fit and proper in the circumstances of the case.

Amaravathi,
Dated: 24.04.2025.

Counsel for the petitioner

GUNTUR :: DISTRICT

IN THE HIGH COURT OF ANDHRA
PRADESH AT AMARAVATHI

W.P. NO.

OF 2025

WRIT PETITION

Filed On:24.04.2025

Filed by:

M/s Narra Srinivasa Rao (13935)
Godavarthi Kiran Babu,
Mallampati Narendra Babu
Advocates

Counsel for the Petitioner

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. Of 2025

CHRONOLOGY OF EVENTS**Annexure – I**

S. No.	Date	Description of the Events	Page No. in Affidavit	Para No. in Affidavit
1.	02.03.2010	The Petitioner purchased an extent of Ac.5.00 cents in Survey No.249/2B of Nemalipuri Village, Rajupalem Mandal, Palnadu District from one Narayanam Seshu Babu through a registered Sale Deed No.1103/2010 dated 02.03.2010 by paying valid sale consideration.	14	2
2.	---	The the total extent of land in Survey No.249/2 is Ac.19.74 cents which originally belongs to Narayanam Pardhasaradhi, who is the ancestor of Narayanam Seshu Babu (Petitioner's vendor).	14	3
3.	28.07.2003	In the year 2003, the Official Respondent No.5 i.e., Tahsildar submitted a report vide Rc.No.41/2003 A dated 28.07.2003 to the District Collector, Guntur stating that the subject land in Survey No.249/2 originally belongs to ancestors of vendor Narayanam Seshu Babu is a private patta land and it does not belong to Endowments Department.	15	4
4.	---	Since 2010, the Petitioner has been doing cultivation in his property. The Petitioner's vendor also paid revenue cists and other relevant taxes to the revenue officials.	15	5

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5.	---	The Petitioner in the year 2010 approached the Hon'ble High Court by filing W.P. No.17477/2010 regarding the subject property. In the said writ, the revenue officials filed their counter affidavit stating that the subject property is a patta land.	15	6
6.	02.02.2016	In the year 2016, the Petitioner applied for no objection certificate regarding his subject property. The Official Respondent No.5 herein i.e., Tahsildar enquired about the same and submitted a report vide Rc.No.404/2015-A dated 02.02.2016.	15-16	7
7.	---	The vendor Narayanam Seshu Babu who sold the land to Petitioner filed a suit in O.S. No.12/2011 before the Hon'ble II Addl. District Court, Guntur seeking relief of partition, declaration and other reliefs.	16	8
8.	---	Recently, the Unofficial Respondent No.16 along with some others styling themselves as trust members of Sri Kodanda Ramaswamy temple, Kota Nimalipuri Village filed W.P. No.86/2025.	16	9
9.	10.03.2025	Aggrieved by the same, the Petitioner filed W.A. No.206/2025 and the Hon'ble High Court Division Bench modified the writ petition order and passed an order dated 10.03.2025.	16-17	10
10.	---	The language used by the Hon'ble High Court Division Bench while disposing W.A. No.206/2025 clearly and categorically states that statutory prescription provided under Sec.83(2) of amended Endowments Act shall be followed.	17	11

11.	07.03.2025	While the W.A. No.206/2025 was pending, the Respondent No.8 issued a notice under Sec.83(2) of A.P. Endowment Amendment Act dated 07.03.2025 to the Petitioner stating that the property belongs to the Endowment Department.	17-18	12
12.	25.03.2025	Subsequently, the Unofficial Respondents No.15 and 16 Trust was constituted in the year 2022. But the Unofficial Respondent No. 16 Trust and its members filed writ petition W.P. No.86/2025 in the year 2025, wherein the Hon'ble High Court passed an order dated 25.03.2025 without hearing the contention of Petitioner herein.	18	13
13.	---	The Petitioner's vendor Narayanam Seshu Babu and his forefathers having clear title by way of patta granted in their favour as per due enquiry contemplated under Inam Abolition Act.	18	14
14.	---	The Petitioner's vendor Narayanam Seshu Babu thereafter executed a registered document in the Petitioner's favour and the unilateral cancellation of the same is not at all valid in the eye of law.	18-19	15
15.	24.03.2025	While parallel proceedings are pending, initiation of Sec.83(2) Notice dated 24.03.2025 by the Unofficial Respondent Trust stating that they are having right over the property and the Petitioner issued reply to the said notice initiated under Sec.83(2) of A.P. Endowment Amendment Act, 2023.	19	16
16.	---	The Petitioner then challenged the notice issued by the Unofficial Respondents No.15, 16 under	19	17

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		Sec.83(2) of A.P. Endowment Amendment Act, 2023 by filing W.P. No.8847/2025. At the time of admission hearing, the Unofficial Respondents No.15, 16 informed to the Hon'ble Court that eviction proceedings was passed in pursuance of notice issued under Sec.83(2) of A.P. Endowment Amendment Act, 2023.		
17.	15.04.2025	The Petitioner then withdrawn the W.P. No.8847/2025 with a liberty to challenge the eviction proceedings issued by the Unofficial Respondents No.15, 16. On 15.04.2025, the Unofficial Respondents No.15, 16 issued Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction under Sec.83(3) of amended Endowments Act to the Petitioner.	20	18
18.	15.04.2025	As per Sec.83(3) of amended Endowments Act, issuance of Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 issued by Unofficial Respondents No.15, 16 is not at all maintainable. The action of Unofficial Respondents No.15, 16 in passing impugned Eviction Proceedings dated 15.04.2025 is illegal.	20	19
19.	---	Initially, the Respondent No.9 who is the management committee of temple filed O.A. No.12/2011 seeking for declaration before the Hon'ble A.P. Endowment Tribunal and the same is still pending for adjudication.	20-21	20
20.	15.04.2025	There are several parallel proceedings pending before various forums for pending adjudication of the	21	21

		same. As such, without disposal of the said proceedings, initiation of proceeding by issuing impugned eviction proceedings dated 15.04.2025 by the Unofficial Respondents No.15, 16 Trust is illegal and void under law.	21	21
21.	---	The contention of the Petitioner is that the schedule property is purely a private property and does not belong either to Endowment Department or to the Trust and there are clear records to that effect.	21	22
22.	---	The Unofficial Respondent Trust first issued eviction notice under Sec.83(2) of amended Endowments Act directly to the Petitioner without having any power. The Petitioner issued reply to the said notice and filed W.P. No.8847/2025 to set aside the notices issued by the Unofficial Respondent No.15, 16 and Endowment Department also.	21 - 22	23
23.	15.04.2025	Several adjudications are still pending since long time regarding the subject property, but whereas the Unofficial Respondent No.15, 16 have taken a plea by issuing impugned Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025.	22	24
24.	---	It seems that Respondents are making hectic efforts to dispossess the Petitioner by one way or the other from his property and now there is a standing crop over the property. The property is still in the Petitioner's possession.	22	25

25.	---	The previous pleadings are also filed along with this writ petition stating that there are different views on the property. On the one way, revenue people admitted that it is a private property and the Endowment Department claiming that the property belongs to them.	23	26
26.	---	There is every likelihood of threat of dispossession to the Petitioner by the acts of the Respondents. If the Respondents succeed in their attempts, the Petitioner's rights guaranteed under Articles 14, 19, 21 and 300-A of the Constitution of India would be grossly violated.	23	27
27.	---	In the circumstances stated above, the petitioner has no efficacious remedy, except to seek the redressal before this Hon'ble Court seeking the indulgence of this Hon'ble Court to exercise the extraordinary original jurisdiction vested in this Hon'ble Court by virtue of Article 226 of the Constitution of India.	23	28

Annexure – II

Under Article 226 of the Constitution of India
The Andhra Pradesh State Revenue (Endowments) Department
Andhra Pradesh State

Amaravathi,

Dt: 24.04.2025.

Counsel for the Petitioner

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No.

OF 2025

Between:

Muppalla Balakrishna,
S/o. Radhakrishna, aged about 38 years,
R/o. Nemalipuri Village, Rajupalem Mandal,
Palnadu District, A.P.

...Petitioner

And

1. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue (Endowments) Department,
Secretariat, Velagapudi, Amaravati.
2. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue Department,
Secretariat, Velagapudi, Amaravati.
3. The District Collector,
Palnadu District, Narasaraopet.
4. The Revenue Divisional Officer,
Sattenapalli Revenue Division,
Sattenapalli, Palnadu District.
5. The Tahsildar,
Rajupalem Mandal, Palnadu District.
6. The Commissioner,
Endowments Department,
Opp. S Grand Restaurant, One Center, Gollapudi,
Vijayawada, N.T.R. District, A.P.
7. The Deputy Commissioner,
Endowments Department,
Guntur Range, opposite Gunta Ground,
Kothapeta, Guntur, Guntur District, A.P.

8. The District Endowments Officer,
Endowments Department,
Narasaraopet, Palnadu District.
9. The Manager,
Kodandarama Swamy and Anjaneya Swamy Temple,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
10. The Director General of Police,
A.P. Police Headquarters,
Mangalagiri, Guntur District, A.P.
11. The Superintendent of Police,
District Police Office,
Narasaraopet, Palnadu District, A.P.
12. The Deputy Superintendent of Police,
Sattenapalli Sub-Division,
Sattenapalli, Palnadu District, A.P.
13. The Circle Inspector of Police,
Sattenapalli Rural Circle,
Sattenapalli, Palnadu District, A.P.
14. The Sub-Inspector of Police,
Rajupalem Police Station,
Rajupalem, Palnadu District, A.P.
15. Sri Kodandarama Swamy Temple Trust,
Rep. by its Chairman Dodda Raghurama Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
16. Sri Kodandarama Swamy Temple Trust,
Rep. by its Secretary Annapureddy Bali Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.

...Respondents

AFFIDAVIT

I, Muppalla Balakrishna, S/o. Radhakrishna, aged about 38 years, R/o. Nemalipuri Village, Rajupalem Mandal, Palnadu District, A.P., do hereby solemnly and sincerely affirm and state as follows:

1. I submit that I am the Petitioner herein and as such I am well acquainted with the facts of the case.
2. It is submitted that the Petitioner purchased an extent of Ac.5.00 cents in Survey No.249/2B of Nemalipuri Village, Rajupalem Mandal, Palnadu District from one Narayanam Seshu Babu through a registered Sale Deed No.1103/2010 dated 02.03.2010 by paying valid sale consideration. Soon after purchase of property, the Petitioner's vendor Narayanam Seshu Babu executed a possessory agreement of sale dated 28.10.2013 in the Petitioner's favour for another extent of Ac.5.00 cents in the same survey number. The Petitioner has been in continuous possession and enjoyment of his property by raising paddy cultivation. The Petitioner applied for revenue mutation and the revenue officials mutated the Petitioner's name in all the revenue records for his rightful extent of property.
3. It is submitted that the total extent of land in Survey No.249/2 is Ac.19.74 cents which originally belongs to Narayanam Pardhasaradhi, who is the ancestor of Narayanam Seshu Babu (Petitioner's vendor). The Survey No.249/2 was sub-divided in two survey numbers 249/2A and 249/2B. Narayanam Pardhasaradhi partitioned the property and the Petitioner's vendor Narayanam Seshu Babu got absolute right over the property in Survey No.249/2B and the same was also mutated in his name. As such, the property situated in extent of Ac.5.00 cents in Survey No.249/2B of Nemalipuri Village, Rajupalem Mandal, Palnadu District is exclusively a private property, but now endowment property.

4. It is humbly submitted that in the year 2003, the Official Respondent No.5 i.e., Tahsildar submitted a report vide Rc.No.41/2003 A dated 28.07.2003 to the District Collector, Guntur stating that the subject land in Survey No.249/2 originally belongs to ancestors of vendor Narayanam Seshu Babu is a private patta land and it does not belong to Endowments Department. The District Collector, Guntur i.e., Official Respondent No.3 issued proceedings vide Rc.No.2565/2003-G1 dated 11.08.2003 to the RDO, Guntur verifying that the subject land in Survey No.249-2 which was in favour of Thirimsa Rajyalakshmi (ancestor of vendor Narayanam Seshu Babu) does not belong to Endowments Department.
5. It is humbly submitted that since 2010, the Petitioner has been doing cultivation in his property. The Petitioner's vendor also paid revenue cists and other relevant taxes to the revenue officials. While the matter stood thus, Unofficial Respondent No.15 and 16 trust and its members boring grudge against the Petitioner, made several efforts to dispossess the Petitioner from his land by one way or the other claiming that the land belongs to the trust.
6. It is submitted that the Petitioner in the year 2010 approached the Hon'ble High Court by filing W.P. No.17477/2010 regarding the subject property. In the said writ, the revenue officials filed their counter affidavit stating that the subject property is a patta land and the revenue officials themselves issued pattadar passbook and title deeds to vendor Narayanam Seshu Babu, who in turn sold the land to Petitioner.
7. It is submitted that in the year 2016, the Petitioner applied for no objection certificate regarding his subject property. The Official Respondent No.5 i.e., Tahsildar enquired about the same and submitted a report vide Rc.No.404/2015-A dated 02.02.2016 stating that the subject land in Survey No.249/2 originally belongs to vendor Narayanam Seshu Babu is a private patta land, who in turn sold the land to the Petitioner in the year 2010. The

Tahsildar in the report further stated that the said land in Survey No.249/2 does not belong to Endowments Department as it is private land and Muppalla Balakrishna has been in possession and enjoyment of the same since 2010.

8. It is submitted that the vendor Narayanam Seshu Babu who sold the land to Petitioner filed a suit in O.S. No.12/2011 before the Hon'ble II Addl. District Court, Guntur seeking relief of partition, declaration and other reliefs. The said suit was dismissed for default on 27.03.2024. The vendor Narayanam Seshu Babu filed a restoration petition in O.S. No.12/2011 to restore the suit and the same is still pending.
9. It is submitted that recently, the Unofficial Respondent No.16 along with some others styling themselves as trust members of Sri Kodanda Ramaswamy temple, Kota Nimalipuri Village filed W.P. No.86/2025 and the same was disposed on 25.02.2025 as follows:

"6. On considering the submissions of both the learned counsels and upon perusing the entire material on record, this Court is inclined to dispose of the writ petition with the following directions:

- i. If the petitioners are intends to evict the 7th respondent, they are directed to initiate steps for evicting the 7th respondent under Section 83 (2) of the Endowments Act and thereafter submit a report before the 5th respondent temple.**
- ii. Further, the respondent Nos.4 and 6 are directed to cooperate with the petitioners as and when required for eviction of the 7th respondent.**

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs."

10. It is further submitted that aggrieved by the same, the Petitioner filed W.A. No.206/2025 and the Hon'ble High Court Division Bench modified the writ petition order and passed an order dated 10.03.2025 as follows:

"9. We, accordingly, modify the judgment and order impugned in the following manner:

- i) The writ petitioners/respondent Nos.1 to 4 herein would be at liberty to take resort to the procedure for eviction, as prescribed under Section 83 of the amended provisions of the Endowments Act 30/1987, as amended by Act 36/2023. The appellant herein would be at liberty to respond to the show cause notice, if at all issued by the authorities mentioned in the amended provision of Section 83 of the Endowments Act 30/1987, as amended by Act 36/2023, which would then consider on its own merits and a speaking order passed. In case the appellant still feels aggrieved of the order which may be passed, he would be entitled to avail the remedy before the Tribunal as is otherwise envisaged.**

10. Accordingly, the Writ Appeal is disposed of. No costs."

11. It is further submitted that the language used by the Hon'ble High Court Division Bench while disposing W.A. No.206/2025 clearly and categorically states that statutory prescription provided under Sec.83(2) of amended Endowments Act shall be followed. As such, the statutory notice as contemplated under Sec.83(2) of amended Endowments Act clearly states that the notice ought to be issued by the Executive Officer of the Charitable or Religious Institution or Endowment or the Assistant Commissioner or any authority higher in rank, but not by a private party or a trust. In the present case, the notice issued by the Unofficial Respondent No.15, 16 is neither a statutory authority nor the statutory officer as contemplated under Sec.83(2) of A.P. Endowment Amendment Act. The issuance of very notice itself is not maintainable under Sec.83(2) of A.P. Endowment Amendment Act.

12. It is further submitted that while the W.A. No.206/2025 was pending, the Respondent No.8 issued a notice under Sec.83(2) of A.P. Endowment Amendment Act dated 07.03.2025 to the Petitioner stating that the property belongs to the Endowment Department. But as per the revenue records, the Endowment Department has no title over the said property. There is no

document to prove that the property was donated to the Endowment Department. The Endowment Department projected that ancestor of the Unofficial Respondents No.15 and 16 created a specific endowment of Ac.19.74 cents of agricultural land in Survey Nos. 249/2A of Nimalipuri village and in 1920, another unregistered settlement deed was executed, granting usufruct/koul in favour of the then Archakas.

13. It is further submitted that subsequently, the Unofficial Respondents No.15 and 16 Trust was constituted in the year 2022. But the Unofficial Respondent No. 16 Trust and its members filed writ petition W.P. No.86/2025 in the year 2025, wherein the Hon'ble High Court passed an order dated 25.03.2025 without hearing the contention of Petitioner herein. Thereafter, the W.A. No.206/2025 filed by the Petitioner, wherein the Hon'ble High Court Division Bench passed an order dated 10.03.2025 by modifying the writ petition order dated 25.03.2025.
14. It is further submitted that the Petitioner's vendor Narayanam Seshu Babu and his forefathers having clear title by way of patta granted in their favour as per due enquiry contemplated under Inam Abolition Act. Once parties rights are determined and patta was granted by way of an enquiry contemplated under Inam Abolition Act and it became final, there is no objections at all on the patta granted by the authorities concerned under Inam Abolition Act. Thereafter, the Petitioner's vendor Narayanam Seshu Babu and his forefathers had been in continuous possession and enjoyment of the property as there is no objection regarding the patta possessed by the Petitioner's vendor namely Narayanam Seshu Babu.
15. It is further submitted that the Petitioner's vendor Narayanam Seshu Babu thereafter executed a registered document in the Petitioner's favour and the unilateral cancellation of the same is not at all valid in the eye of law. The Hon'ble Supreme Court and A.P. High Court time and again clearly and categorically held that unilateral cancellation of sale deed is in violation of

law and if at all, any grievance arise, it is the civil court to decide the matter by way of comprehensive adjudication of the matter after due process in full pledged trial. As such, the Petitioner is having clear title and his vendor having clear patta and as such, this visualizes that the property is a private land but not endowment land. The rights were already determined and the Petitioner's vendor Narayanam Seshu Babu having clear title and the Petitioner got registration by way of registered document no.1103/2010 and unilateral cancellation is not permissible under law as per the precedence rendered by the Hon'ble Supreme Court.

16. It is further submitted that while parallel proceedings are pending, initiation of Sec.83(2) Notice dated 24.03.2025 by the Unofficial Respondent Trust stating that they are having right over the property and the Petitioner issued reply to the said notice initiated under Sec.83(2) of A.P. Endowment Amendment Act, 2023. The law specifies that notice under Sec.83(2) of amended Endowments Act shall be issued by appropriate authority more particularly the Executive Officer of the Charitable or Religious Institution or Endowment or the Assistant Commissioner or any authority higher in rank. The Unofficial Respondents No.15, 16 issued a notice under Sec.83(2) contravening the statutory provisions enshrined under the amended Endowments Act.
17. It is further submitted that the Petitioner then challenged the notice issued by the Unofficial Respondents No.15, 16 under Sec.83(2) of A.P. Endowment Amendment Act, 2023 by filing W.P. No.8847/2025. At the time of admission hearing, the Unofficial Respondents No.15, 16 informed to the Hon'ble Court that eviction proceedings was passed in pursuance of notice issued under Sec.83(2) of A.P. Endowment Amendment Act, 2023. The Petitioner already issued a reply to the notice issued by the Unofficial Respondents No.15, 16 under Sec.83(2) of A.P. Endowment Amendment Act, 2023.

18. It is further submitted that the Petitioner then withdrawn the W.P. No.8847/2025 with a liberty to challenge the eviction proceedings issued by the Unofficial Respondents No.15, 16. On 15.04.2025, the Unofficial Respondents No.15, 16 issued Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction under Sec.83(3) of amended Endowments Act to the Petitioner stating that the Petitioner is liable to be removed from the trust property in an extent of Ac.10.72 cents in Survey No.249/2B of Nemalipuri Village, Rajupalem Mandal, Palnadu District and is required to pay an amount of Rs.46,72,500/-. If the Petitioner fails to comply, appropriate action will be envisaged under Sec.83(4) and (5) of amended Endowments Act.
19. It is further submitted that as per Sec.83(3) of amended Endowments Act, issuance of Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 issued by Unofficial Respondents No.15, 16 is not at all maintainable. The action of Unofficial Respondents No.15, 16 in passing impugned Eviction Proceedings dated 15.04.2025 is illegal, arbitrary, irrational and the Unofficial Respondents No.15, 16 have no such power as contemplated under the A.P. Endowments Act. As such, impugned Eviction Proceedings said to be issued by the Unofficial Respondents No.15, 16 is invalid, inoperative, illegal and in excess of powers conferred under amended A.P. Endowments Act.
20. It is further submitted that initially, the Respondent No.9 who is the management committee of temple filed O.A. No.12/2011 seeking for declaration before the Hon'ble A.P. Endowment Tribunal and the same is still pending for adjudication. The Endowment Department also filed eviction petition under old The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the same is also still pending. The present Petitioner also filed two suits in O.S. Nos.12/2011, 12/2012 which are pending before the Hon'ble II Addl. District Judge, Guntur. The two suits were dismissed for default and the Petitioner subsequently filed

restoration petitions where the title declaration is sought for. The other members of the temple trust filed a petition for declaration in O.A. No.449/2012 before the Hon'ble A.P. Endowment Tribunal regarding the subject property and the same is also pending. As such, there are multiple litigations filed over the property.

21. It is further submitted that there are several parallel proceedings pending before various forums for pending adjudication of the same. As such, without disposal of the said proceedings, initiation of proceeding by issuing impugned eviction proceedings dated 15.04.2025 by the Unofficial Respondents No.15, 16 Trust is illegal and void under law. Once, the proceedings were initiated under old Endowments Act and the proceedings are still pending for consideration, issuing impugned eviction proceedings by virtue of amended Endowments Act is nothing but res judicata. On receiving the impugned eviction proceedings, the Petitioner issued reply on 17.04.2025 to the said impugned proceedings.
22. It is further submitted that the contention of the Petitioner is that the schedule property is purely a private property and does not belong either to Endowment Department or to the Trust and there are clear records to that effect. It is the bounden duty on the part of Unofficial Respondents No.15, 16 to seek for declaration either before civil court or before Tribunal to ascertain their right. When once a patta is granted to the Petitioner's vendor and the same is still in force and even the revenue authorities also confirmed the same fact. It clearly visualizes that the property in Sy. No.249/2A and 249/2B is not at all endowment property, but it is a private property. When once the patta is granted in favour of the Petitioner's vendor, that is not challenged by anybody and it attains finality.
23. It is further submitted that the Unofficial Respondent Trust first issued eviction notice under Sec.83(2) of amended Endowments Act directly to the Petitioner without having any power. The Petitioner issued reply to the said

notice and filed W.P. No.8847/2025 to set aside the notices issued by the Unofficial Respondent No.15, 16 and Endowment Department also. When the said writ was pending, the Unofficial Respondent No.15, 16 in excess of their powers and having no right, issued impugned Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 under Sec.83(3) of amended Endowments Act. The Petitioner again issued reply on 17.04.2025 to the said impugned proceedings to the Unofficial Respondent No.15, 16.

24. It is further submitted that several adjudications are still pending since long time regarding the subject property, but whereas the Unofficial Respondent No.15, 16 have taken a plea by issuing impugned Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 under Sec.83(3) of A.P. Endowment Amendment Act, 2023. But disputes are pending since long back and the rights of the particular individuals or to the institution has to be decided by the competent authority. As such, the impugned Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 issued by Unofficial Respondents No.15, 16 is untenable and not valid under law either under A.P. Endowment Amendment Act, 2023 or old A.P. Endowment Act, 1987.
25. It is further submitted that it seems that Respondents are making hectic efforts to dispossess the Petitioner by one way or the other from his property and now there is a standing crop over the property. The property is still in the Petitioner's possession. If the Petitioner is dispossessed from his property by way of this impugned eviction proceedings and subsequent actions, much loss and hardship would be caused to the Petitioner. The Petitioner is cultivating his property by doing hard work and the Petitioner's entire family is dependent upon the earnings of the cultivation. As such, impugned eviction proceedings dated 15.04.2025 issued to the Petitioner is not tenable under law.

26. It is further submitted that the previous pleadings are also filed along with this writ petition stating that there are different views on the property. On the one way, revenue people admitted that it is a private property and the Endowment Department claiming that the property belongs to them and the Unofficial Respondent Trust claiming that the property belongs to the temple trust without there being any title over the property. All these have to be comprehensively determined by the Endowment Tribunal or civil court. But recouring to issuing impugned eviction proceedings under Sec.83(3) of A.P. Endowment Amendment Act, 2023 while matters are pending adjudication is illegal and untenable under law.
27. It is further submitted that there is every likelihood of threat of dispossession to the Petitioner by the acts of the Respondents. If the Respondents succeed in their attempts, the Petitioner's rights guaranteed under Articles 14, 19, 21 and 300-A of the Constitution of India would be grossly violated. The arbitrary exercise of the power by the Respondents couldn't be prevented by the petitioner and was forced to approach the Hon'ble High Court for redressal of grievance faced by the petitioner.
28. In the circumstances stated above, the petitioner has no efficacious remedy, except to seek the redressal before this Hon'ble Court seeking the indulgence of this Hon'ble Court to exercise the extraordinary original jurisdiction vested in this Hon'ble Court by virtue of Article 226 of the Constitution of India.
29. The petitioner has not filed any writ petition, suit or other proceedings for the relief or reliefs sought herein.

In view of the facts and circumstances stated above, it is therefore prayed that this Hon'ble Court may be pleased to issue any writ, order or Direction more particularly one in the nature of Writ of Mandamus declaring the impugned

Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 issued by the Respondents No.15 and 16 under Sec.83(3) of A.P. Endowment Amendment Act, 2023 unilaterally ordering the Petitioner to vacate his private property in an extent of Ac.10.74 cents situated in Survey No.249/2B of Nimalipuri Village, Rajupalem Mandal, Palnadu District as illegal, arbitrary, Ab initio, untenable under law, against the principles of natural justice and in violation of The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and infringes the Petitioner's fundamental rights guaranteed under Articles 14, 19, 21 and 300-A of the Indian Constitution and consequently set aside the same and pass such other order or orders may deem fit and proper in the circumstances of the case.

It is further prayed that the Hon'ble Court may be pleased to pass an interim order by suspending the impugned Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 issued by the Respondents No.15 and 16 under Sec.83(3) of A.P. Endowment Amendment Act, 2023 to the Petitioner, until disposal of the above writ petition and pass such other order or orders as may deem fit and proper in the circumstances of the case.

It is further prayed that the Hon'ble Court may be pleased to pass an interim order by directing the Official Respondents not to take any coercive steps to dispossess the Petitioner from his private property in an extent of Ac.10.74 cents situated in Survey No.249/2B of Nimalipuri Village, Rajupalem

(25)

Mandal, Palnadu District, until disposal of the above writ petition and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Sworn and signed before me
this the 24th day of April, 2025
at Amaravathi.

Deponent

ADVOCATE :: AMARAVATI

VERIFICATION

I, Muppalla Balakrishna, S/o. Radhakrishna, aged about 38 years, R/o. Nemalipuri Village, Rajupalem Mandal, Palnadu District, A.P., the Petitioner herein, do hereby verify and state that the contents set out in the Affidavit are based on records and are believed to be true and correct. Hence verified at Amaravathi on this the 24th day of April, 2025.

Advocate

Deponent

P1

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26

Sri Kodandarama Swamy Temple Trust, Kota Nimalipuri village,
Rajupalem mandal, Palanadu (Guntur) district
Chairman: Sri. Dodda Raghurama Reddy. Kota Nimalipuri &
Member Secretary Sri. Annapureddy Bali Reddy.

Proceedings No. 1/3/2024 – Sec 83(3) eviction dt. 15.4.2025
Sub: Sri Kodandaramaswamy Temple Trust, Kota Nimalipuri- Endowment
land- Sy.No.249/2A & 249/ 2B of Nimali puri Rev village,
Rajupalem mandal- illegal encroachment -Eviction proceedings.

- Ref: 1. W.P.No. 86/2025 dt. 25.2.2025
2. Rc.No. A2/20185/2023 dt. 29.5.2024
3.W.A.No. 206/2025 dt. 10.3.2025.
4. Progs No. 1/3/2024 -Section 83(2) notice dt. 24.3.2025.
5. Document No. 378/1909 dt. 27.2.1909.
6. Orders in WP No. 17477/2010 dt. 14.2.2011
7. Orders in WP No. 14814/2012 dt. 10.4.2012.
8. Orders in WP 14814/2012 dt. 24.4.2012
9. judgement in O.S. 12/2012 dt. 6.5.2012

Orders :

Issued under Section 83(3) of Act 30/1987 as amended by Act. 36/2023.
Sri Kodandarama Swamy Temple Trust, Kota Nimalipuri, Palanadu district in
discharge of its obligation to protect the Trust properties, filed WP before the Hon'ble
high court of AP in the Ref WP 86/2025 seeking directions to the Endowments
Department to evict Sri. Muppalla Balakrishna from the encroachment of lands in
Sy.No.s 249/2B and 249/2A of Nimalipuri with the assistance of police. The
Endowments department submitted instructions to the effect that the management of
the temple was handed over to the petitioner trust. The management was handed over
to the Institution vide proceedings reference 2nd cited. The WP was disposed of with
directions to the respondents including the officials of Endowments and Police to assist
in the process of eviction of Sri. Muppalla Balakrishna vide orders in the reference 1st
cited.

Aggrieved by the orders of the learned single Judge in reference 1st cited, Sri.
Muppalla Balakrishna filed WA 206/2025. The hon'ble division bench in their
judgement in the reference 3rd cited modified the orders of the learned single judge
holding that the Endowments Department has authorized the eviction of an encroacher
from the land belonging to the Charitable or Religious Institutions or endowments at
the behest of the Asst Commissioner or any authority higher in rank thereof and
according to Section 83 of the Act 30/1987, a notice can be issued by the Institution
requiring the encroacher to remove from the premises for which police assistance is
envisaged. That the earlier procedure of approaching the Endowments Tribunal under
Section 87 of the Act was dispensed with by virtue of amendment to Section 83 under
Act 36/2023. Accordingly orders in WP No. 86/2025 were modified granting liberty to
this Endowment Institution to issue notice U/s 83(2) of Act 30/1987 as amended by
Act 36/2023, in the reference 3rd cited.

Following the orders of the hon'ble high court in WA 206/2025, this Institution
issued Section 83(2) show cause as to why he should not be evicted from the

endowment land and recover the rentals at the rate of prescribed by the Government in respect of LPG lands in Capital City Area and use the proceeds for the betterment of Sri Kodandarama Swamy Temple received the notice on 26.3.2025 with all the details referred to in the references 5 to 9 which were made part of the WA 206/2025 but Sri.Muppalla Balakrishna ignored to give any response.

According to the title deed in the reference 5th cited, late (1) late Sri. Dodda Konda Reddy, (2) Udumulla Venki Reddy, (3) Desi Reddy Venkata Reddy (4) Desi Reddy Chinna Venki Reddy (5) Basu Venkata Reddy (6) Basu Linga Reddy (7) Dodda Akkamma created specific endowment of Ac. 19.74 cents of agricultural land possessed by them in Sy.No.s 249/2B and 249/2A of Nimalipuri village vide document No. 378/1909 dt. 27.2.1909. Subsequently the said founder trustees agreed to confer the usufruct of the land to the Archakas namely Narayanam Gopalacharyulu and his son Seshacharyulu by an unregistered agreement dt. 4.4.1920 towards remuneration for archakathvam services, Dhupadeepa naivaidyam, kalyanotshcavam etc., however no formal deed was executed thereafter but Archaka family performed archakathvam. Lastly Gopalacharyulu's heir Sri. Narayanam Dhanvanthari Bharadwaj performed services till 2023 from that family. The title in the land remained with the deity of the temple and land was also notified under Sec 22(a) of the Indian Stamp Act.

In the year 2010 Sri.Muppalla Balakrishna obtained a sale deed for 5 Acres from a person who is not concerned with the affairs of the temple and who is not authorized by the commissioner as required under the Act and highhandedly encroached another Ac 5.72 cents of the land vide possessory agreement dt. 28.10.2013. The sale deed was cancelled by the Sub Registrar upon complaint by the descendants of founder trustees. Two (2) writ petitions filed by Sri Muppalla Balakrishna namely W.P.No. 17477/2010 questioning the letter of the Endowments department requesting the Sub registrar not to entertain any registration of endowment land was dismissed by orders dt. 14.2.2011 and (2) WP No. in WP No. 14814/2011 filed by Sri.Muppalla Balakrishna challenging the deed of cancellation vide No. 1955/2011 dt. 29.3.2011 of the Sub Registrar was dismissed by the Hon'ble high court by orders dt. 24.4.2012. In WP No.1955/2011 the Hon'ble high court passed a conditional order dt. 10.4.2012 was passed directing the petitioner to pay annual rent of Rs. 12,500/- per acre and WP was finally dismissed as withdrawn. Further Sri.Muppalla Balakrishna filed O.S.No. 12 of 2012 before the District Court, Guntur for cancellation of the cancellation of sale deed. The Hon'ble District Judge, Guntur was pleased to dismiss the same by judgement dt. 6.5.2024.

The decedents of founder trustees registered this Institution/ Trust and Section 43 register was also issued by the Endowments Department vide P.No. 4165/2022 and pursuant to the proceedings of the District Endowments Officer in his proceedings in Rc.No. A2/20185/2023 dt. 29.5.2024, the Executive officer of the temple handed over the management of the Trust to Sri Kodandarama Swamy temple trust in the reference 2nd cited. The temple is exempted from the provisions of Section 15,29,57 and 65 of Act 30 of 1987.

That with the cancellation of sale deed in respect of 5 Acres of land in the above Endowment land, the occupation of the entire Ac. 10.72 cents constitute encroachment of the endowment lands in Sy.No.s 249/2B and 249/2A of Nimalipuri. The sale or encroachment is void abinitio and a cognizable offence punishable U/s 83(5) of A.P. Charitable and Hindu Religious Institutions and Endowments Act. The APCRDA is

paying Rs. 50,000/- with an annual increment of Rs. 5,000/- per acre of wet land to the LPS farmers who surrendered their lands to APCRDA for the Capital city. Possession of Sri. Muppalla Balakrishna over the lands in Sy.No.s 249/2B and 249/2A of Nemalipuri, being a specific endowment created for the purpose of dhupa, deepa naivedyadi services without any authority and consent of the trustees.

Hence from the above mentioned documents it established that Sri.Muppalla Balakrishna, have no material in support of his claim for title and no explanation for possession over the property in Sy. No.s Sy.No.s 249/2B and 249/2A of Nemalipuri. His possession is void ab initio. It is proved that the property is a specific endowment created by the donors for the purposes mentioned therein to the benefit of the deity. The claims of Sri. Muppalla Balakrishna are based on a sham sale deed which was lawfully cancelled by the Registration Department. His every effort to made to legitimize the said sale deed has failed. Therefore this Institution has deiced to prosecute Sri. Muppalla Balakrishna under Section 83(5) and also recover the damages in lieu of lease from 2010, at the rate Rs. 12,500/- per acre as mentioned in the orders in WP No. 14814/2011 dt. 10.4.2012 from 2010 to December 2014 and Rs. 50,000/- per acre with an annual increment of Rs. 5000/- per year from January 2015 as fixed by the Government and also recover damages.

Hence Sri. Muppalla Balakrishna is liable to remove from the from Trust properties in Sy. No. Sy.No.s 249/2B and 249/2A of Nemalipuri, in an extent of Ac 10.72 Cents forthwith and is required to pay a sum of Rs. ...46,72,500.... at the rate of Rs. 12,500 per acre from 2010 in respect of 5 acres and 28.10.2013 in respect of Ac 5.72 Cents and at the rate of Rs. 50,000/- with annual increment of Rs. 5000/- per acre from 1.1.2015 till date within 3 months from the date of receipt of these proceedings failing which appropriate action will be initiated as envisaged under Section 83 (4) and (5) of the Act 30/1987 as amended under Act 36/2023.

SRI KODANDARAMA SWAMY TEMPLE

Chairman : **DEVALAYA TRUST**

Secretary :

CHAIRMAN

Sri Kodandarama Swamy Temple Trust,

Kota Nimalipuri

Sri Kodandarama Swamy Temple Trust
Kotanemalipuri

Secretary

To,
Muppala Bala Krishna S/o Radhakrishna,
Nemalipuri village,
Rajupalem mandal, (Guntur) Palanadu district-

Copy to

1. The District Endowments Officer,
Palanadu district, Narasarao peta.
2. The Superintendent of Police,
Palanadu district, Narasarao Peta.

MUPPALLA BALA KRISHNA

B.Sc., LL.B.

Advocate,

O/o. H.No.2-126, Nemalipuri Village,

Rajupalem Mandal, Palnadu District – 522413.

REGD. REPLY NOTICE WITH ACK. DUE

Guntur,

Date: 17.04.2025.

To

1. Sri Kodandarama Swamy Temple Trust,
Rep. by its Chairman D. Raghurama Reddy,
Kota Nemalipuri Village, Rajupalem Mandal,
Palnadu District.
2. Sri Kodandarama Swamy Temple Trust,
Rep. by its Secretary Annapureddy Bali Reddy,
Kota Nemalipuri Village, Rajupalem Mandal,
Palnadu District.

1. I have received your notice vide **Proceedings No.1/3/2024-Sec 83(2) eviction - notice dated 24.03.2025** through Registered Post issued U/s.83 (2) of Act, 30/1987, as per amended Act, 36/2023, dated 07.03.2025.
2. The contents mentioned in the said notice are not true and correct and it appears the same is got issued by the managing trustee of Sri Kodanda Rama Swamy vari Temple, Kotanemalipuri village, Rajupalem Mandal, Palnadu District, by suppressing the pending litigation and the true facts involved in the matter.
3. You issued the notice without having any authority and as per the amended Endowment Act also, you have no power at all. You issued notice to me under Sec.83(2) of amended Endowment Act. Prior to the amended Act, Palle Siva Reddy and Dodda Chinna Reddy filed O.A. No.449/2012 for declaration of rights who are your trust members.

4. The Endowment Department also filed Eviction Petition O.A. No.12/2011 before the Endowment Tribunal. I filed O.S. No.12/2012 seeking relief of declaration of title and cancellation of cancellation deed no.1955/2011 dated 29.03.2011 and for permanent injunction. The said suit O.S. No.12/2012 was dismissed for default. I filed restoration petition in O.S. No.12/2012 which is pending. My vendor Narayanam Seshu Babu filed O.S. No.12/2011 seeking relief of declaration of title, partition and for permanent injunction. The said suit O.S. No.12/2011 was dismissed for default. Narayanam Seshu Babu also filed restoration petition in O.S. No.12/2011 which is pending.
5. The amended Endowments Act is prospective in nature and whereas, already civil suits before District Court, Guntur and original applications filed before Endowment Tribunal. You have no power at all to issue notice under Sec.83(2) as per the amended Endowments Act. There cannot be dual proceedings on same subject matter as you recourse to file O.A. No.449/2012. As such, principle of res judicata would apply and the dual proceedings cannot be maintainable as per law.
6. My vendor Narayanam Seshu Babu and his forefathers having clear title by way of patta granted in their favour as per due enquiry contemplated under Inam Abolition Act. Once parties rights are determined and patta was granted by way of an enquiry contemplated under Inam Abolition Act and it became final and there is no objections at all on the patta granted by the authorities concerned under Inam Abolition Act. Thereafter, my vendor Narayanam Seshu Babu and his forefathers have been in continuous possession and enjoyment of the property as there is no objection regarding the patta possessed by my vendor Narayanam Seshu Babu.

7. My vendor Narayanam Seshu Babu executed a registered document in my favour and the unilateral cancellation of the same is not at all valid in the eye of law. The Hon'ble Supreme Court and A.P. High Court time and again clearly and categorically held that unilateral cancellation of sale deed is in violation of law and if at all, any grievance arise, it is the civil court to decide the matter by way of comprehensive adjudication of the matter after due process in full pledged trial. As such, I am having clear title and my vendor having clear patta and as such, this visualizes that the property is a private land but not endowment land. The rights were already determined and my vendor Narayanam Seshu Babu having clear title and myself got registration by way of registered document no.1103/2010 and unilateral cancellation is not permissible under law as per the precedence rendered by the Hon'ble Supreme Court.
8. The occupation of the subject land by me is valid and I am in occupation of the schedule property based on my title for the schedule property through Regd. Sale deed dated 02.03.2010 vide Doct. No.1103/2010. In fact, the cancellation deed affected through the document No.1955/2011 dated 29.03.2011 became the subject matter of O.S. No.12/2012 before the Hon'ble II Addl. District Judge, Guntur, and the suit restoration proceedings setting aside dismissal for default is now pending.
9. I am not an encroacher in the schedule property and I am contesting O.A. No.12/2011, before the Hon'ble A.P. Endowments Tribunal and during pendency of the said eviction proceedings, without being withdrawn, the issuance of Sec.83(2) notice by you is not permissible under law.
10. I am holding valid title for the subject property based on the sale deed and even supported by the revenue proceedings dated 02.02.2016 from the office of the Tahsildar, Rajupalem addressed to R.D.O., Guntur, in Rc.No.404/2015 discloses the subject property is a patta land and does not belongs to the temple and it belongs to

the private persons namely ancestors of Narayanam Seshu Babu. The said report was submitted when I filed an application to issue N.O.C., to the Commissioner, Endowments, A.P., Gollapudi, for the subject property and in response to my application during enquiry, the said report was submitted by the Tahsildar, Rajupalem, addressed to R.D.O., Guntur.

11. Even in the year 2003, the then M.R.O., Rajupalem addressed a letter to the District Collector, Guntur, dated 28.07.2003 in Rc.No.41/2003 stating that the subject land in 249/2 even as per the R.S.R. of Nemalipuri Village, belongs to private persons namely Narayanam Pardhasaradhi and Tarimisa Rajya Lakshmi.
12. The revenue authorities also admitted the same fact stating that the land is a private land and patta was also sanctioned in the name of Narayanam Seshu Babu after due enquiry. Unilateral self-assertion by the Endowments Department that the property belongs to them is unknown to law. If at all, any grievance would be amenable to civil court jurisdiction or for the Tribunal to decide the parties rights. The Endowments Department initiated proceeding for eviction by filing O.A. No.12/2011 and trust members also filed O.A. No.449/2012 for declaration of right. Parallel proceedings on the same issue by recouring to amended Endowments Act would not at all maintainable under law.
13. The Endowments Department cannot claim any right or title over the property. Admittedly, the possession vested with me since 2010 and till now, I have been in possession and enjoyment of the same by raising crops.
14. In this background in view of the above mentioned revenue reports even the District Collector, Guntur, confirmed the subject property Ac.19.44 cents in Survey No.249/2 belongs to Tarimisa Rajya Lakshmi and not endowed property.

15. In the year 1984, the revenue authorities issued a joint patta in favour of Narayanam Pardhasaradhi and Tarimisa Rajya Lakshmi for the subject property covered under Survey No.249/2 which is part of Ac.19.44 cents.
16. Even 10(1) Adangal was modified incorporating the names of Narayanam Pardhasaradhi and Tarimisa Rajya Lakshmi to be the owners of subject property Ac.19.44 cents in Survey No.249/2 of Nemalapuri Village and in fact, sub division was affected as 249/2A and 249/2B with extents Ac.8.72 cents in the name of Tarimisa Rajya Lakshmi and Ac.10.72 cents in the name of Narayanam Pardhasaradhi.
17. I am submitting the above mentioned documentary evidence to show that I am a bona fide purchaser of the subject property and the subject temple is not holding any right or title over the same and as such, either the pending eviction petition in O.A. No.12/2011 and declaration petition O.A. No.449/2012 and the proposed eviction proceedings through the present show cause notice U/s.83 (2) of Act, 30/1987 is not tenable under law.
18. So far Ac.5.00 cents in Survey No.249/2B, I am holding title and another extent of Ac.5.00 cents, I am holding Possessory Agreement of Sale dated 28.10.2013 executed by Narayanam Seshu Babu. As such, my occupation in the said property is supported by legal documentation and in the said circumstances, I am not an encroacher in the schedule property and my possession over the same is duly supported by legal documentation.
19. Even Sec.43 approved property register was prepared without giving any notice to the person in occupation and it holds not legal validity to draw any conclusion with regard to title of the subject temple.
20. Without clearance of pending litigation mentioned above, the issuance of show cause notice U/Sec. 83(2) as per amendment Act, 36/2023 is not tenable under law.

21. You issued notice under Sec.83(2) of amended Endowments Act dated 24.03.2025 and you have no power at all under Sec.83(2) of amended Endowments Act to issue notice to me. The Hon'ble Division Bench of A.P. High Court in W.A. No.206/2025 clearly and categorically held that the due course to be followed for any legal action as contemplated under Sec.83(2) of amended Endowments Act.

"9. We, accordingly, modify the judgment and order impugned in the following manner:

i) The writ petitioners/respondent Nos.1 to 4 herein would be at liberty to take resort to the procedure for eviction, as prescribed under Section 83 of the amended provisions of the Endowments Act 30/1987, as amended by Act 36/2023. The appellant herein would be at liberty to respond to the show cause notice, if at all issued by the authorities mentioned in the amended provision of Section 83 of the Endowments Act 30/1987, as amended by Act 36/2023, which would then consider on its own merits and a speaking order passed. In case the appellant still feels aggrieved of the order which may be passed, he would be entitled to avail the remedy before the Tribunal as is otherwise envisaged."

22. As such, the language employed in Sec.83(2) of amended Endowments Act clearly visualizes that only competent authority under Endowments Department has the power to issue notice and pass appropriate orders.

"83. Encroachment of land, building, or any property belonging to a charitable or religious institution or endowment and the eviction of encroacher:

(2) The Executive Officer of the Charitable or Religious Institution or Endowment or the Assistant Commissioner or any authority higher in rank thereof, shall, by notice, require the encroacher to remove the encroachment as hereinafter provided:

Provided that the encroacher shall be entitled to submit reply/explanation to such notice within one week from the date of receipt of such notice, which shall be duly considered and appropriate orders thereon shall be passed, -

(a) either withdrawing the notice issued and dropping further proceedings; or

(b) affirming the notice and duly stipulating the time within which such encroachment shall be removed."

23. As such, you have no power to issue notice for eviction under Sec.83(2) of amended Endowments Act to me or basing on that, you have no power at all to pass any order under Sec.83(2) of amended Endowments Act. As such, the proceedings initiated by you is null and void.
24. In the background of the same, the issuance of the notice U/s. 83(2) of amended Endowments Act by you is not tenable under law.
25. I am herewith conveying you to withdraw your notice dated 24.03.2025 forthwith as you do not have any competency to issue notice to me. Or else, appropriate legal steps would be initiated against you in the competent court of law.

Guntur,

Date: 17.04.2025

M. Bala Krishna

(Muppalla Bala Krishna)

(36)



Sign In

Register



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हिन्दी

भारतीय डाक
डाक सेवा कल सेवाIndia Post
Dak Sewa-Jan Sewa

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Track Consignment

Quick help

* Indicates a required field.

* Consignment Number

EN770695595IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Guntur RMS BPC	17/04/2025 22:27:20	522413	41.30	Inland Speed Post	Piduguralla S.O	19/04/2025 15:05:12

Event Details For : EN770695595IN

Current Status : Item Delivered [To: annpureddy balireddy (Addressee)]

Date	Time	Office	Event
19/04/2025	15:05:43	Kotanemalipuri B.O (Beat Number:1)	Item Delivered [To: annpureddy balireddy (Addressee)]
19/04/2025	15:05:12	Kotanemalipuri B.O	Item Delivered(Addressee)
19/04/2025	09:06:07	Piduguralla S.O	Item Bagged
19/04/2025	09:06:07	Piduguralla S.O	Dispatched to BO
19/04/2025	09:06:07	Piduguralla S.O	Item Dispatched
19/04/2025	08:20:43	Piduguralla S.O	Item Received
18/04/2025	06:17:44	Guntur RS TMO	Item Dispatched
18/04/2025	05:11:06	Guntur RS TMO	Item Received
18/04/2025	04:16:19	Guntur ICH	Item Dispatched

(37)

18/04/2025	01:01:40	Guntur ICH	Item Bagged
17/04/2025	23:49:50	Guntur ICH	Item Received
17/04/2025	23:33:23	Guntur RMS BPC	Item Dispatched
17/04/2025	23:30:44	Guntur RMS BPC	Item Bagged
17/04/2025	22:27:20	Guntur RMS BPC	Item Booked

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P3

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22

Office of the Managing Trustee,
Sri Kodandarama swamy vari Devasthanam,
Kotanemalipuri Village, Rajupalem Mandal,
Palnadu District.

To
Sri Muppalla Balakrishna
S/o. Radha Krishna,
R/o. Nermalipuri post,
Rajupalem Mandalam,
Palnadu District.

Notice Under Section 83(2) of Act 30/87

(Issued as per Amended Act 36 of 2023 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 30/87)

It is hereby informed that Sri Kodandarama swamy vari devasthanam, Kotanemalipuri Village, Rajupalem Mandal, Guntur District is the absolute owner of the property in a total extent of Ac.19-74 cents in Survey No.249 which was later subdivided into three bits as 1) S.No.249/1 an extent of Ac.0-30 cents, 2) S.No.249/2A an extent of Ac.8-72 cents, 3) S.No.249/2B an extent of Ac.10-72 cents, in Peda Nermalipuri Village, Rajupalem Mandal, Guntur District, which was entrusted to Archakas of the temple for rendering Archaka services in the temple. The said property was clearly entered in Sec.43 Register of the Endowments Act 30/87.

At present you Muppalla Balakrishna S/o. Radha Krishna, is continuing in occupation of the schedule mentioned property of Ac.10-72 cents in Survey No.249/2B of Peda Nermalipuri Village, without having any valid right to continue in possession of the schedule property and without having any approved Lease/ License / any permission from the Competent Authority of Endowments department in your favor.

Hence, notice is hereby issued, asking you to explain within seven (7) days from the date of this notice, why you should not be treated as an encroacher U/s.83 of Act 30/87 and shall not be removed from occupation of the said property. If you have any explanation to offer in this regard, you should submit the same to this office within seven (7) days along with documentary evidence, if any in support of your contention. If you have no explanation to offer in this regard, you should vacate from the schedule mentioned property within seven (7) days and shall hand over the vacant possession of the same to the Executive Authority of the subject temple.

In case of failure on your part to submit your explanation within the stipulated time or to vacate the scheduled premises in case you have no explanation to offer, appropriate further action will be taken against you as per the provisions of Sec.83(2) of Andhra Pradesh Charitable & Hindu Religious Institutions and Endowments Act 30/87.

SCHEDULE OF THE PROPERTY

Palnadu District, Piduguralla Sub- Registrar, Rajupalem Mandal, Peda Nimalipuri Village, Agricultural wet land in an extent of Ac.10-72 cents in Survey No.249/2B of Peda Nimalipuri Village, is being bounded by :-

East : High Way Road leads to Nekarikallu
 West : Land belongs to subject temple.
 North : Devarampadu Road.
 South : Gutta Brahmeswara Rao

Within these boundaries an extent of Ac.10-72 cents of agricultural land only.

[Signature]

(Managing Trustee)

[Signature] PEDDA RAGHU RAMAREDDY

- 1) Copy submitted To the Commissioner, Endowments department, A.P., Amaravathi @ Gollapudi, Vijayawada, for favour of kind information.
- 2) Copy submitted To the Regional Joint Commissioner, Endowments department, Multi-zone-II, Tirupathi, for favour of kind information.
- 3) Copy submitted To the District Endowments Officer, Endowments department, Palnadu, Narasaraopet.

(40) ~~24~~ ~~2~~ P₂ 124

MUPPALLA BALA KRISHNA

B.Sc., LLB.

ADVOCATE

H.No.2-126, Nimalipuri village, Rajupalem Mandal, Palnadu District. 522 413.

Dt.02.01.2025.

To
Dodda Raghu Rami Reddy,
O/o The Managing Trustee,
Sri.Kodanda Rama Swamy vari Devasthanam,
Kotanemalipuri village,
Rajupalem Mandal,
Palnadu District.

On receipt of notice, I am hereby issue the following notice in reply to your notice issued by your at the capacity of Managing Trustee, Sri.Kodanda Rama Swamy vari Temple, Kotanemalipuri village, Rajupalem Mandal, represented by Dodda Raghu Rami Reddy.

It is informed to you that most of the contents in your notice are all false and they are invented for the purpose of issuing of your notice. Hence, I am issue specific reply to your notice.

At the outset it is informed to you that without any right and authority, in terms of Sec.83(2) at 30 of 1987 Act, we have issued the notice questioning my possession and occupation of the subject property as mentioned in the notice. As Sec.83(2) at 30 1987, only the executive officer or Asst.Commissioner or any authority higher in the rank is entitled to issue notice U/s 83(2) of 30 of 1987. The notice got issued by you is invalid under law and doesn't any cause of action in favor of the subject temple to seek for eviction of against me. And the absolute owner of to an extent of Ac.10.74 cents in Sy.No.249/2B, of Nimalipuri village and my title is supported by registered sale deed, and possession agreement. I got legal and valid possession over the schedule property. In fact the executive officer of the subject temple already filed Sec.83 eviction petition against me before the AP Endowments Tribunal, Amaravathi and the same is pending enquiry. In addition to that, the one of the your committee member filed a suit before AP Endowments Tribunal to declare the subject property

belongs to the subject temple. When declaration of title and eviction petition seeking relief in favor of the temple is pending, the question of issuing show cause notice U/s 83(2) of Act of 1987 is totally without any authority and not permissible under law. In fact, civil suit filed by me vide OS No.12 of 2012, and Narayanam Seshu Babu filed a suit vide OS No.12 of 2011 on the file of II ADJ Court, Guntur and both suits are pending before the civil court, connected with the subject property for declaration of title and cancellation of cancelled deed, partition and also for other reliefs. The said litigation within your knowledge being a party to the said civil court proceedings. In fact the suit restoration proceedings initiated by me.

Without clearance of pending litigation initiated by the temple executive authority you claiming to be managing trustee without any authority in your favor is not entitled to issue Sec.83(2) show cause notice U/s 30 of 1987 as per amendment Act. 36 of 2023.

Even otherwise, a mere entry in Sec.43 register without giving notice to be person in occupation patta land before incorporating the said entry does not give any right in favor of the temple to claim ownership of Patta land over the subject property based on such legally invalid Sec.43 register. I am not an encroached in the said property as it is a patta land.

Under the above mentioned facts and circumstances, I demanding you to withdraw the notice as the same is without any local stand and authority in your favor to invoke power U/s 83 (2) of 30 of Act 1987.

To not out place to mention that, you are not legally entitle to proceed further against me in pursuance of the show cause notice, which is basically without authority.

You are hereby informed not to precipitate the matter and withdraw the legal notice issued by you on behalf of Sri.Kodanda Rama Swamy Temple Trust, Kotanemalipuri village, Rajupalem Mandal, Palnadu District. Failing which, I will initiate legal action in both civil and criminal against you and your trust board by the

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competent court of law. You will be held liable for the costs and consequences thereof.

Place: Nimalipuri
Date: 02.01.2025.

M. Bala Krishna
Muppalla Bala Krishna,
Advocate.

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NOTICE

Sri Kodandarama Swamy Temple Trust, Kota Nimalipuri Village,
Rajupalem mandal, Palnadu (Guntur) district

Chairman : Sri. D.Raghurama Reddy. Kota Nimalipuri.
Member Secretary : A.Balireddy.Kota Nimalipuri.

Proceedings No. 1/3/2024 – Sec 83(2) eviction - notice dt.24.03.2025

Sub: Sri Kodandaramaswamy Temple, Kota Nimalipuri- Endowment
land- Sy.No.249/2A & 249/ 2B of Nemali puri Rev village,
Rajupalem mandal- Eviction- show cause-notice.

That (1)late Sri. Dodda Konda Reddy, (2) Udumulla Venki Reddy, (3) Desi Reddy Venkata Reddy (4) Desi Reddy Chinna Venki Reddy (5) Basu Venkata Reddy (6) Basu Linga Reddy (7) Dodda Akkamma created specific endowment of Ac. 19.74 cents of agricultural land possessed by them in Sy.Nos. 249/2B and 249/2A of Nimalipuri village vide document No. 27.2.1909. Subsequently the founder trustees agreed to confer the usufruct of the land to the Archakas namely Narayanam Gopalacharyulu and his son Seshacharyulu by an unregistered agreement dt.4.4.1920 towards remuneration archakathvam services, Dhupadeepa naivaidyam, kalyanotshavam etc. However no formal deed was executed thereafter. The Archakas and his sons performed archakathvam. Lastly Gopalacharyulu Heir Sri. Narayanam Dhanvanthari Bharadwaj performed services till 18-08-2023 from that family. The title in the land remained with the deity of the temple and also notified under Sec 22(a) of the A.P. Stamps and Registration Act.

In the year 2010 you obtained a sale deed for 5 Acres from a person who is not concerned with the affairs of the temple and who is not authorized by the commissioner as required under the Act and highhandedly encroached another 5 acres of the land. The sale deed was cancelled by the Sub Registrar upon complaint by the descendants of founder trustees. Two (2) writ petitions filed by you namely W.P.No.17477/2010 questioning the letter of the Endowments department requesting the Sub registrar not to entertain any registration of endowment land was dismissed by orders dt. 14.2.2011 and (2) WP No. in WP No. 14814/2011 filed by you challenging the deed of cancellation vide No. 1955/2011 dt. 29.3.2011 of the Sub-

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Registrar were dismissed by the Hon'ble high court by orders dt. 24.4.2012. In WP No.1955/2011 the Hon'ble high court passed a conditional interim order dt. 10.4.2012 to pay rental at the annual rent of Rs. 12,500/- per acre which was finally dismissed. Further the O.S.No. 12 of 2012 filed by you for cancellation of the cancellation of sale deed on the file of the Hon'ble District Judge, Guntur was also dismissed by judgment dt. 6.5.2024.

The decedents of founder trustees registered the Trust vide and Section 43 register was also issued by the Endowments Department vide P.No. 4165/2022 and pursuant to the proceedings of the District Endowments Officer in his proceedings in Rc.No. A2/20185/2023 dt. 29.5.2024 the Executive officer of the temple handed over the management of the Trust to Sri Kodandarama Swamy temple trust. The temple is exempted from the provisions of Section 15,29,57 and 65 of Act 30 of 1987. This trust filed W.P. No. 86/2025 before the hon'ble high court seeking orders for your eviction from the endowment lands donated by the founder trustees to the temple. Aggrieved by the orders of the learned single judge W.A.No. 206/20205 was preferred by you. The Division Bench of the Ho'ble high court disposed of the writ appeal holding that the Trust is entitled to take action under Section 82 after putting you on notice.

By virtue of Section 83(2) the Executive officer of Charitable or Religious institutions or Endowment department shall by notice require the encroacher to remove the encroachment

That the sale deed in respect of 5 Acres of land in the above Endowment land was thus cancelled and you have encroached into another 5 acres. The APCRDA is paying Rs. 50,000/- to the LPS farmers in the Capital city area with an increment of Rs. 5,000/- who surrendered their lands for the Capital city. Youn have encroached the endowment land donated for the purpose of dhupa, deepa naivedyadi services without any authority and concent of the trustees. Therefore you are hereby required to show cause as to why should not be evicted from the endowment land and use for the betterment of Sri Kodandarama Swamy Temple, Kota Namalipuri and recover the rental at the rate of prescribed by the Government in respect of LPS lands in Capital City Area.

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Therefore you are called upon as to why you should not be evicted from the endowment land in Sy.Nos. 249/2B and 249/2A of Nimalipuri belonging to Sri Kodandaramaswamy Temple of Kota Nimalipuri and recover damages from you within two weeks from the date of receipt of this notice failing which appropriate action will be initiated as envisaged under the Act 30/1987 as amended under Act 36/2023.

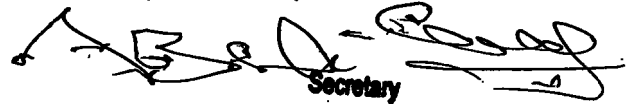
✓ To,
Muppalla Bala Krishna S/o Radhakrishna,
Nimalipuri Village,
Rajupalem Mandal, (Guntur) Palnadu District-522413.

Sri Muppalla Balakrishna
S/o. Radha Krishna,
R/o. A1-block, Police Lanes,
Backside of District Court,
Kannavari Thota, Guntur City - 522001

Copy to

1. The District Endowments Officer,
Palnadu district, Narasaraopet for favour of information

Sri Kodandarama Swamy Temple Trust
Kotanimallipuri


Secretary

(A-BALI REDDY)

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1 (46)

Office of the District Endowments Officer,
Endowments department,
Palnadu District,
At Narasaraopet.

To
Sri Muppalla Balakrishna
S/o. Radha Krishna,
R/o. A1-block, Police Lanes,
Backside of District Court,
Kannavari thota, Guntur City.

Notice Under Section 83(2) of Act 30/87

**(Issued as per Amended Act 36 of 2023 of the Andhra Pradesh Charitable and
Hindu Religious Institutions and Endowments Act 30/87)**

It is hereby informed that Sri Kodandarama swamy vari devastanam, Kotanemalipuri Village, Rajupalem Mandal, Palnadu District is the absolute owner of the property in a total extent of Ac.19-74 cents in Survey No.249 which was later subdivided into three bits as 1) S.No.249/1 an extent of Ac.0-30 cents, 2) S.No.249/2A an extent of Ac.8-72 cents, 3) S.No.249/2B an extent of Ac.10-72 cents, in Peda Nemalipuri Village, Rajupalem Mandal, Palnadu District, which was entrusted to Archakas of the temple for rendering Archaka services in the temple. The said property was clearly entered in Sec.43 Register of the Endowments Act 30/87.

At present you Muppalla Balakrishna S/o. Radha Krishna, is continuing in occupation of the schedule mentioned property of Ac.10-72 cents in Survey No.249/2B of Peda Nemalipuri Village, without having any valid right to continue in possession of the schedule property and without having any approved Lease/ License / any permission from the Competent Authority of Endowments department in your favor.

Hence, notice is hereby issued, asking you to explain within seven (7) days from the date of this notice, why you should not be treated as an encroacher U/s.83 of Act 30/87 and shall not be removed from occupation of the said property. If you have any explanation to offer in this regard, you should submit the same to this office within seven (7) days along with documentary evidence, if any in support of your contention. If you have no explanation to offer in this regard, you should vacate from the schedule mentioned property within seven (7) days and shall hand over the vacant possession of the same to the concerned Executive Authority / Managing Trustee of the subject temple.

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In case of failure on your part to submit your explanation within the stipulated time or to vacate the scheduled premises in case you have no explanation to offer, appropriate further action will be taken against you as per the provisions of Sec.83(2) of Andhra Pradesh Charitable & Hindu Religious Institutions and Endowments Act 30/87.

SCHEDULE OF THE PROPERTY

Palnadu District, Piduguralla Sub- Registrar, Rajupalem Mandal, Peda Nemalipuri Village, Agricultural wet land in an extent of Ac.10-72 cents in Survey No.249/2B of Peda Nemalipuri Village, is being bounded by :-

East : High Way Road leads to Nekarikallu
West : Land belongs to subject temple.
North : Devarampadu Road.
South : Gutta Brahmeswara Rao

Within these boundaries an extent of Ac.10-72 cents of agricultural land only.

S. V. Srinivas
(District Endowments Officer)
DISTRICT ENDOWMENTS OFFICER
ENDOWMENTS DEPARTMENT
NARASARAO PET, PALNADU DISTRICT (A.P.)
9/3/25

- 1) Copy submitted To the Commissioner, Endowments department, A.P., Amaravathi @ Gollapudi, Vijayawada for favour of kind information.
- 2) Copy submitted To the Regional Joint Commissioner, Endowments department, Multi-zone-II, Tirupathi, for favour of kind information.
- 3) Copy submitted To the Deputy Commissioner, Endowments department, Guntur, for favour of kind information.
- 4) Copy To the Managing Trustee of Sri Kodandarama swamy vari devastanam, Kotanemalipuri Village, Rajupalem Mandal, Palnadu District for information.

MUPPALLA BALA KRISHNA,
B.Sc., LL.B.,
Advocate,
O/o. H.No.2-126, Nemalipuri Village,
Rajupalem Mandal, Palnadu District – 522413.

REGD. REPLY NOTICE WITH ACK. DUE

Guntur,
Date: 20.03.2025.

To
Office of the District Endowments Officer,
Endowments Department,
Palnadu District at Narasaraopet.

1. I have received your notice on **13.03.2025** through Registered Post issued U/s.83 (2) of Act, 30/1987, as per amended Act, 36/2023, dated 07.03.2025
2. The contents mentioned in the said notice are not true and it appears the same notice is got issued by the managing trustee of Sri Kodanda Rama Swamy vari Temple, Kotanemalipuri village, Rajupalem Mandal, Palnadu District, by suppressing the pending litigation and the true facts involved in the matter.
3. At the outset, it is to be informed that as per the written instructions filed by the Assistant Commissioner, Endowments Department, in W.P. No.86/2025 on the file of the Hon'ble High Court of A.P., as mentioned in W.P. order dated 25.02.2025 (Para No.5) vide Lr.Rc.No.A2/23/2025 dated 03.01.2025, the Commissioner, Endowments Department, A.P., Gollapudi passed orders in D.Dis.No.D2/COE-14021(42)/6/2024 dated 28.05.2024 granted exemption U/s.15, 29, 57, and 65 of Endowments Act for a period of five (5) years for the subject temple in favour of Sri Kodanda Rama Swamy vari Temple, Kotanemalipuri village, Rajupalem Mandal, Palnadu District.
4. In the background of the same, the issuance of the notice U/s.83 (2) through your office is not tenable under law.

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5. It is further informed that Sri Kodanda Rama Swamy vari Temple Trust, Kotanemalipuri village, Rajupalem Mandal, Palnadu District, already issued a notice U/s.83(2) of Act, 30/1987 and the same was replied by me on 02.01.2025 by way of reply notice and the same may be read as part and parcel of the present reply notice for your notice.
6. It appears the pending litigation U/s.83 of Endowments Act, 30/1987 by way of O.A. No.12/2011 initiated by the Assistant Commissioner, Endowments, Guntur, and the Executive Officer of the subject temple, against me is pending enquiry and the said eviction petition is not withdrawn and while pendency of said proceedings, the issuance of the notice U/s.83 (2) of Endowments Act, 30/1987 to avail the remedy under amended Act is not tenable under law and unless the pending eviction petition is withdrawn with the permission of the Hon'ble Tribunal, no other recourse for eviction can be taken against me in terms of Endowments Act, 30/1987.
7. It is not outplace to mention that the amended Endowments Act, 36/2023 incorporating Sec. 83 (2) of Act, 30/1987 is not holding retrospective effect and as such, the show cause notice issued through your office is not permissible under law.
8. I have been in continuous possession of the schedule property based on my title for the schedule property through Regd. Sale deed dated 02.03.2010 vide Doct. No.1103/2010. In fact, the cancellation deed affected through the document No.1955/2011 dated 29.03.2011 became the subject matter of O.S. No.12/2012 before the Hon'ble II Addl. District Judge, Guntur, and the suit restoration proceedings setting aside dismissal for default is now pending.
9. I am not an encroacher in the schedule property and I am contesting O.A. No.12/2011, before the Hon'ble A.P. Endowments Tribunal and during pendency of the said eviction proceedings, without being withdrawn, the issuance of Sec.83(2) notice is not permissible under law.
10. It is not outplace to mention that Sri Kodanda Rama Swamy vari Temple, Kotanemalipuri village, Rajupalem Mandal, Palnadu District, filed O.A. No.449/2012 on the file of the Hon'ble A.P. Endowments Tribunal seeking to declare the subject property belongs to the subject temple.

O.A. 12/2011
Dw
Proceeding

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11. As on today, the above mentioned title declaration O.A. No.449/2012 and the eviction proceedings in O.A. No.12/2011 are pending before the Hon'ble A.P. Endowments Tribunal and as such, adopting further eviction procedure through Sec.83 (2) which is not having retrospective effect is not permissible under law and as such, the show cause notice issued through your office legally not valid and liable to be withdrawn by you.
12. I am holding valid title for the subject property based on the sale deed and even supported by the revenue proceedings dated 02.02.2016 from the office of the Tahsildar, Rajupalem addressed to R.D.O., Guntur, in Rc.No.404/2015 discloses the subject property is a patta land and does not belongs to the temple and it belongs to the private persons namely ancestors of Narayanam Seshu Babu. The said report was submitted when I filed an application to issue N.O.C., to the Commissioner, Endowments, A.P., Gollapudi, for the subject property and in response to my application during enquiry, the said report was submitted by the Tahsildar, Rajupalem, addressed to R.D.O., Guntur.
13. Even in the year 2003, the then M.R.O., Rajupalem addressed a letter to the District Collector, Guntur, dated 28.07.2003 in Rc.No.41/2003 stating that the subject land in Sy. No.249/2 even as per the R.S.R. of Nemalipuri Village, belongs to private persons namely Narayanam Pardhasaradhi and Tarimisa Rajya Lakshmi.
14. In this background, in view of the above mentioned revenue reports even the District Collector, Guntur, confirmed the subject property Ac.19.44 cents in Survey No.249/2 belongs to Tarimisa Rajya Lakshmi and is not an endowed property.
15. In the year 1984, the revenue authorities issued a joint patta in favour of Narayanam Pardhasaradhi and Tarimisa Rajya Lakshmi for the subject property covered under Survey No.249/2 which is part of Ac.19.44 cents.
16. Even 10(1) Adangal was modified incorporating the names of Narayanam Pardhasaradhi and Tarimisa Rajya Lakshmi to be the owners of subject property Ac.19.44 cents in Survey No.249/2 of Nemalapuri Village and in fact, sub division was affected as 249/2A and 249/2B with extents Ac.8.72 cents in the name of Tarimisa Rajya Lakshmi and Ac.10.72 cents in the name of Narayanam Pardhasaradhi.

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17. I am submitting the above mentioned documentary evidence to show that I am a bonafide purchaser of the subject property and the subject temple is not holding any right or title over the same and as such, either the pending eviction petition in O.A. No.12/2011 and declaration petition O.A. No.449/2012 and the proposed eviction proceedings through the present show cause notice U/s.83 (2) of Act, 30/1987 is not tenable under law.
18. Even Sec.43 approved property register was prepared without giving any notice to the person in occupation and it holds not legal validity to draw ~~any conclusion with regard to title of the subject temple.~~
19. Without clearance of pending litigation mentioned above, the issuance of show cause notice U/Sec. 83(2) as per amendment Act, 36/2023 is not tenable under law.
20. So far Ac.5.00 cents in Survey No.249/2B, I am holding title and another extent of Ac.5.00 cents, I am holding Possessory Agreement of Sale dated 28.10.2013 executed by Narayanam Seshu Babu. As such, my occupation in the said property is supported by legal documentation and in the said circumstances, I am not an encroacher in the schedule property and my possession over the same is duly supported by legal documentation and hence, the show cause notice U/s.83 (2) of Act. 30/1987 is not permissible under law and I request you to withdraw the same.

Guntur,

Date: 19.03.2025

M. Bala Krishna

(Muppalla Bala Krishna)

Enclosures:

1. Copy of Joint Patta D.No.808/84-D, dt.18.08.1984.
2. Copy of Village Settlement Register
3. Copy of Eviction Petition in O.A. No.12/2011, dt.28.12.2010 filed at A.P. Endowment Tribunal.
4. Copy of Counter Affidavit in O.A. No.449/2012 filed at A.P. Endowment Tribunal.
5. Copy of Counter Affidavit in W.P. No.17477/2010 filed before Hon'ble A.P. High Court.
6. Copy of Proceedings vide Rc.No.404/2015-A, dt.02.02.2016

7. Copy of Proceedings vide Rc.No.41/2003 A, dt.28.07.2003
8. Copy of proceedings vide Rc.No.2565/2003-G1, dt.11.08.2003
9. Copy of Affidavit in O.S. No.12/2012
10. Copy of Affidavit in O.S. No.12/2011
11. Copy of the Order in C.R.P. No.5228/2012, dt.06.12.2012
12. Copy of Proceedings granting police aid to me, dt.22.01.2013
13. Copy of Adangal and 1-B and its translations
14. Copy of order W.A 206/2025

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MONDAY, THE TENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

PRESENT

HONOURABLE SRI JUSTICE DHIRAJ SINGH THAKUR, CHIEF JUSTICE

AND

HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT APPEAL NO: 206 OF 2025

Writ Appeal under clause 15 of the Letters Patent to against the order dated 25.02.2025 in W.P. No.86 of 2025 on the file of the High Court.—

Between:

Muppalla Bala Krishna, S/o. Radhakhshna, R/o. Nemalipuri Village, Rajupalem Mandal, Guntur, Palanadu District.

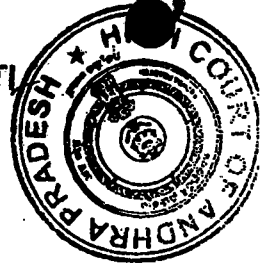
...Writ Appellant/Respondent No.7 —

AND

1. Sri Kodandarama Swamy Temple Trust, Kota Nemalipuri village, Rajupalem Mandal, Palanadu Guntur District, Represented by its Secretary Sri Annapureddy Bali Reddy, S/o. Papaiah Reddy @ Papi Reddy.
2. Annapureddy Bali Reddy, S/o. Papaih Reddy @ Papireddy, Aged 72 years, Kota Nemalipuri Village, Rajupalem Mandal, Palanadu Guntur District.
3. Banavathu Krishna Naik, S/o. Hanuma Naik, Aged 63 years, Kota Nemalipuri Village, Rajupalem Mandal, Palanadu Guntur District.
4. Kommasani Venkata Ramana Reddy, S/o. Chenna Reddy, Aged 69 years, Kota Nemalipuri Village, Rajupalem Mandal, Palanadu Guntur District.

...Respondents/Writ Petitioners —

5. The State of Andhra Pradesh, rep. by its Prl. Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati.



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6. The District Collector, Palanadu District, Narasaraopet, Palanadu Guntur District.
 7. The Tahsildar, Rajupalem Mandal, Palanadu Guntur District.
 8. The District Endowments Officer, Endowments Department, Narasaraopet, Palanadu Guntur District.
 9. The Manager, Kodandaramaswamy and Anjaneyaswamy Temple, Kotanemalipuri, Rajupalem Mandal, Guntur Palanadu District.
 10. The Inspector of Police, Sattenapalli, Guntur Palanadu District.

...Respondents/ Respondents

IA NO: 1 OF 2025

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 Suspend the order dated 25.02.2025 passed in W.P. No.86/2025, until disposal of the main Writ Appeal. —

Counsel for the Appellant: SRI SRINIVASA RAO NARRA

**Counsel for the Respondent Nos.1 to 4: SRI KASA JAGANMOHAN
REDDY**

Counsel for the Respondent Nos.5 to 7: GP FOR REVENUE

Counsel for the Respondent No.8: GP FOR ENDOWMENTS

**Counsel for the Respondent No.9: SRI MIAPURAM SRINIVAS RAO, SC
FOR ENDOWMENTS**

Counsel for the Respondent No.10: GP FOR HOME

The Court made the following: JUDGMENT

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATIBench Sr.No:-4
[3483]

WRIT APPEAL NO: 206 of 2025

Muppalla Bala Krishna

...Appellant

Vs.

Sri Kodandarama Swamy Temple Trust and others

...Respondents

Advocate for Appellant

Sri Srinivasa Rao Narra

Advocates for Respondents

Sri Kasa Jagan Mohan Reddy, learned
Government Pleader for Home,
learned Government Pleader for
Endowments, Sri Miapuram Srinivas
Rao, learned Government Pleader for
Revenue.CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI

DATE : 10th March 2025

Per DHIRAJ SINGH THAKUR, CJ (Oral):

The present Writ Appeal has been preferred against the judgment and order dated 25.02.2025 in W.P.No.86 of 2025.

2. Briefly stated, the material facts are as under:-

W.P.No.86 of 2025 came to be filed by Sri Kodandarama Swamy Temple Trust and others alleging inaction on the part of respondent Nos.2 to 6 in not taking steps for evicting respondent No.7. It is alleged that respondent No.7 had encroached upon the temple property situate in Sy.Nos.249/2B and 249/2A in Nemalipuri Village, Rajupalem Mandal, Palnadu District whereby

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the said respondent, it is stated, had encroached upon approximately Ac.10-00 cents of land.

3. The petition was filed in ignorance of the amended provisions of Section 83 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short, "the Endowments Act 30/1987), which authorized the eviction of an encroacher from the land belonging to the Charitable or Religious Institutions or Endowments at the behest of Executive Officer of the Charitable or Religious Institutions or Endowments or the Assistant Commissioner or any authority higher in rank thereof.

4. According to the amended provisions of Section 83 of the Endowments Act 30/1987, a notice can be sent by any of the officers mentioned herein above requiring the encroacher to remove encroachment. The alleged encroacher is, however, permitted to submit his reply and explanation to such a notice within the time stipulated therein. Failure on the part of the encroacher to remove the encroachment within the stipulated time, upon orders in that regard, authorize the removal of the encroachment and the encroacher from the premises for which even police assistance is envisaged.

5. The amendment of Section 83 of the Endowments Act 30/1987, as amended by Act 36/2023, came into effect on 26.06.2023. Against an order passed by the Executive Officer or the Assistant Commissioner, as the case may be, an appeal is envisaged in terms of Section 83(6) before the Endowments Tribunal.

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6. This provision is different from the procedure, which had earlier been prescribed in terms of Section 87 of the Endowments Act 30/1987, which envisaged the temple authorities, through its Executive Officer, to approach the Endowments Tribunal for initiating action for retrieval of the land after getting a declaration that the land was an Endowment Land or belonging to the temple. It is in the aforementioned backdrop that although the petition was filed seeking a direction from the Court to the official respondent Nos.2 to 6 to take action against private respondent No.7, yet, it appears that on coming to know about the amendment incorporated under Section 83 of the Endowments Act 30/1987, the Court passed the following directions:-

"i. If the petitioners intend to evict the 7th respondent, they are directed to initiate steps for evicting the 7th respondent under Section 83(2) of the Endowments Act and thereafter submit a report before the 5th respondent temple.

ii. Further, the respondent Nos.4 and 6 are directed to cooperate with the petitioners as and when required for eviction of the 7th respondent."

7. On a perusal of the judgment and order impugned and in particular, the directions so issued, it is clear that instead of giving liberty to the petitioners, who are respondent Nos.1 to 4 herein, to initiate action in terms of the amended provisions of Section 83 of the Endowments Act 30/1987, a direction was issued to take resort to the said section and the procedure prescribed therein and further, to submit a report before the Manager of Sri Kodandaramaswamy and Anjaneyaswamy Temple, who was respondent No.5

in the writ petition. A direction was also issued for the official respondent Nos.4 and 6 to cooperate with the Temple Trust for eviction of respondent No.7.

8. On a perusal of the said order, it would thus appear that the directions leave no scope for consideration of any explanation, which could be tendered by the appellant herein, against the proposed eviction, which would be initiated against the appellant herein. The directions to take steps for evicting the appellant and further direction to respondent Nos.4 and 6 to cooperate with the petitioners, who are respondent Nos.1 to 4 in the present Writ Appeal, would leave little scope for the appellant herein to escape the rigors of eviction if at all he had a case to submit before the authority which would have issued the notice to the appellant.

9. We, accordingly, modify the judgment and order impugned in the following manner:

i) The writ petitioners/respondent Nos.1 to 4 herein would be at liberty to take resort to the procedure for eviction, as prescribed under Section 83 of the amended provisions of the Endowments Act 30/1987, as amended by Act 36/2023. The appellant herein would be at liberty to respond to the show cause notice, if at all issued by the authorities mentioned in the amended provision of Section 83 of the Endowments Act 30/1987, as amended by Act 36/2023, which would then consider on its own merits and a speaking order passed. In case the appellant still feels aggrieved of the order which may be

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passed, he would be entitled to avail the remedy before the Tribunal as is otherwise envisaged.

10. Accordingly, the Writ Appeal is disposed of. No costs.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/- M.RAMESH BABU
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Pri. Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati.
2. The District Collector, Palanadu District, Narasaraopet, Palanadu Guntur District.
3. The Tahsildar, Rajupalem mandal, Palanadu Guntur District.
4. The District Endowments Officer, Endowments Department, Narasaraopet, Palanadu Guntur District.
5. The Manager, Kodandaramaswamy and Anjaneyaswamy Temple, Kota Nimalipuri, Rajupalem mandal, Guntur Palanadu District.
6. The Inspector of Police, Sattenapalli, Guntur Palanadu district.
7. One CC to Sri Srinivasa Rao Narra, Advocate [OPUC]
8. One CC to Sri Kasa Jaganmohan Reddy, Advocate [OPUC]
9. One CC to Sri Miapuram Srinivas Rao, SC for Endowments [OPUC]
10. Two CC's to GP for Revenue, High Court of A.P. at Amaravati [OUT]
11. Two CC's to GP for Endowments, High Court of A.P. at Amaravati [OUT]
12. Two CC's to GP for Home, High Court of A.P. at Amaravati [OUT]
13. Three CD Copies.

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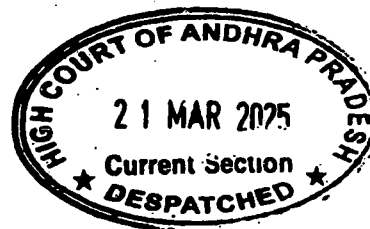
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HIGH COURT

DATED:10/03/2025

JUDGMENT

WA.No.206 of 2025



DISPOSING OF THE W.A. WITHOUT COSTS

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 86 OF 2025



Between:

1. Sri Kodandarama Swamy Temple Trust, Kota Nemalipuri village, Rajupalem mandal, Palanadu (Guntur) district Represented by its Secretary, Sri. Annapureddy Bali Reddy S/o Papaiah Reddy @ Papi Reddy.
2. Annapureddy Bali Reddy, S/o Papaih Reddy @ Papi Reddy, Aged 72 years, Kota Nemalipuri village, Rajupalem mandal Palanadu (Guntur) district.
3. Banavathu Krishna Naik, S/o Hanuma Naik Aged 63 years, Kota Nemalipuri village, Rajupalem mandal, Palanadu (Guntur) district.
4. Kommasani Venkata Ramana Reddy, S/o Chenna Reddy Aged 69 years, Kota Nemalipuri village, Rajupalem mandal Palanadu (Guntur) district.

...PETITIONERS

AND

1. The State of Andhra Pradesh, rep by its Prl. Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati.
2. The District Collector, Palanadu district, Narasarao pet Palanadu (Guntur) district.
3. The Tahsildar, Rajupalem mandal Palanadu (Guntur) district.
4. The District Endowments Officer, Endowments Department Narasarao Pet, Palanadu (Guntur) district.
5. The Manager, Kodandaramaswamy and Anjaneyaswamy temple, Kota Nemalipuri, Rajupalem mandal, (Guntur) Palanadu district.

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6. The Inspector of Police, Sattenapalli, (Guntur) Palanadu district.

7. Muppala Bala Krishna, S/o Radhakrishna, Nemalipuri village,
Rajupalem mandal, (Guntur) Palanadu district.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass orders one in the nature of writ of mandamus declaring the inaction of respondents on the representations of the petitioners in the name and on behalf of Sri Kodandarama Swamy temple, Kotanemalipuri to prosecute the 7th respondent and all the concerned and evict from Ac. 10 Acres of agricultural land situate in Sy.Nos.249/2B and 249/2A of Nemalipuri village as arbitrary, illegal, discriminatory, violative of Article 14,19 and 300 A of the Constitution of India and consequently direct the respondents to register crime against the 7th respondent, recover damages towards the loss of usufruct and hand over the same to the 1st petitioner.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to issue Pattadar Pass book in the name of Sri Kodandaramaswamy Temple by initiating prosecution against the 7th respondent for unlawfully encroaching into the 10 acres of agricultural land in Sy.Nos.249/2B and 249/2A of Nemalipuri village, Rajupalem mandal.

Counsel for the Petitioner: SRI KASA JAGANMOHAN REDDY

Counsel for the Respondent Nos:1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4:GP FOR ENDOWMENTS

**Counsel for the Respondent No.5:SRI M. SRINIVAS RAO, SC FOR
ENDOWMENTS**

Counsel for the Respondent No.6: GP FOR HOME

Counsel for the Respondent No.7:SRI SRINIVASA RAO NARRA

The Court made the following: ORDER

APHC010001712025



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

[3310]

TUESDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 86/2025

Between:

Sri Kodandarama Swamy Temple Trust, and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. KASA JAGANMOHAN REDDY

Counsel for the Respondent(S):

1. GP FOR HOME

2. SRINIVASA RAO NARRA

3. GP FOR REVENUE

4. GP FOR ENDOWMENTS

The Court made the following Order:

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

*".....to declaring the inaction of respondents on the
representations of the petitioners in the name and on
behalf of Sri Kodandarama Swamy temple Kotanemalipuri
to prosecute the 7th respondent and all the concerned and*

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evict from Ac.10 Acres of agricultural land situate in Sy.Nos.249/2B and 249/2A of Nimalipuri village as arbitrary, illegal, discriminatory, violative of Article 14, 19 and 300-A of the Constitution of India and consequently direct the respondents to register crime against the 7th respondent recover damages towards the loss of usufruct and hand over the same to the 1st petitioner...."

2. Brief facts of the case are that the 1st petitioner-Trust was constituted and registered with Reg.No.197/2022, dated 9.12.2022 to renovate and maintain Sri Kodanda Ramaswamy temple, Kota Nimalipuri. The ancestors of the petitioners created a specific endowment of Ac.19.74 cents of agricultural land possessed by them in Survey Nos.249/2B and 249/2A of Nimalipuri village (for short "subject property"). In 1920, an another unregistered settlement deed was executed, granting usufruct/koul in favour of Archakas Sri Narayanam Gopalacharyulu and his son to cover the expenditure for his honorarium and costs rituals and celebrations. They were permitted to cultivate or lease out the lands. Accordingly, they cultivated/leased out the lands to meet these expenses. The Deity of the temple is the absolute owner of the above said property and the ROR and Adangal of Nimalipuri village reflect the name of incumbent manager of Sri.Kodanda Ramaswamy Temple. The Archaka was only entitled to honorarium for the services. While things stood thus, the 7th respondent obtained a sale deed from one Sri Narayanam Seshu Babu vide document No.1103/2010, dated 02.03.2010 in respect of 5 acres in Sy.No.249/2B. Upon noticing the sale deed executed by the above said Seshu babu, the petitioners

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complained the same to Sub Registrar, Piduguralla requesting to cancel the invalid sale deed and 4th respondent to take over the possession of the subject property. After receipt of complaint, the Commissioner & Inspector, General of Stamps and Registration, was pleased to Issue Lr.No.Can/9006/2010, dated 24.06.2010 to cancel the registration. Aggrieved by the same, the 7th respondent filed W.P.No.17477/2010 and the same was dismissed vide order dated 21.07.2010. Consequently, the Deputy Commissioner, Endowments Department was pleased to execute a cancellation deed bearing No.1955/2011, dated 29.03.2011 stating that the vendor had no right and the Deity of the temple is true owner and the document No.1103/2010, dated 02.03.2010 was cancelled by the 4th respondent. Again, the 7th respondent filed W.P.No.14814/2011 and the same was dismissed as withdrawn vide order dated 24.04.2012. Thereafter, the 7th respondent filed O.S.No.12/2012 before the learned District Judge, Guntur and the same was also dismissed vide judgment dated 06.05.2024. However, the 7th respondent encroached the subject property without any valid sale deed. Aggrieved by the same, the present writ petition has been filed.

3. Heard Mr.Kasa Jagan Mohan Reddy, learned counsel for the petitioners; Mr.P.Srinivas, learned Assistant Government Pleader for Endowments, for respondent Nos.1 to 3 and Mr.Narra Srinivasa Rao, learned counsel for the 7th respondent.

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4. On hearing, learned counsel for the petitioners while reiterating the contents urged in the writ petition, submits that, the 7th respondent has unlawfully encroached upon valuable land irrigated by the Sagar Canal, using a fake sale deed in the name of a person whose whereabouts are unknown. The petitioners have also lodged a complaint with respondents 4 to 6, requesting the eviction of the 7th respondent from the temple lands and appropriate action to be taken. The 4th respondent is the competent authority to evict any person from the endowment lands. Despite the passage of a considerable amount of time, the respondents have not taken any action. The descendants of the hereditary trustees constituted the 1st petitioner-trust and had it registered to manage the affairs of the temple properties endowed to the Sri Kodandaramaswamy temple and to conduct the rituals. Thus, the petitioner-trust has right and obligation to protect the temple lands which were endowed by the petitioners' forefathers and use the usufruct for the purposes of the trust. He further submits that the lands are notified under Section 22(a)(2) of Registration. The respondent authorities have obligation to protect the interest of properties of the temple. Despite clear evidence and records, the respondents are not taking any action against the 7th respondent. The 3rd respondent is not issuing Pattadar Pass Book in the name of the temple though the name of the temple is reflecting in 1-B register. He further submits that the 7th respondent has no right over the subject property and all the proceedings initiated by the 7th respondent were rejected by this Court as well

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as the learned District Judge, Guntur. The 7th respondent is unlawfully enjoying 10 acres of land belonging to the temple encroached by him and with the direct or indirect support of the respondent authorities. Therefore, learned counsel requests this Court to pass appropriate orders.

5. Per Contra, learned Assistant Government Pleader furnished a copy of written instructions vide Lr.in.Rc.No.A2/23/25, dated 03.01.2025 issued by the District Endowment Officer and submits that the 2nd petitioner along with others made a representation to the Commissioner, Endowments Department, A.P., Gollapudi, requesting the withdrawal of the Executive Officer appointed by the Commissioner and the transfer of the management of the temple to them, as per the terms of G.O.Ms.No.298, Revenue (Endts-II) Department, dated 06.07.2023, since the income of the temple is below five lakhs per annum. Accordingly, on getting reports, the Commissioner, Endowments Department, A.P., Gollapudi passed orders in D.Dis.No.D2/COE-14021(42)/6/2024, dated 28.05.2024 with certain conditions, and duly granted exemption from the operation of Sections 15, 29, 57 and 65 of the Endowments Act 30/1987 for a period of 5 years from the date of handing over the administration and management of the subject temple. He further submits that the petitioners made a representation dated 12.11.2024 to this respondent bringing to the notice of the 4th respondent regarding the encroachment made by the 7th respondent in an extent of

Ac.5.00 cents in addition to the previous occupation of Ac.5.00 cents and requested for initiation of steps for removal of encroachment. In reply to the said representation, the 4th respondent issued instructions vide Rc.No.A2/2085/2023, dated 22.11.2024 to the petitioners to produce all files and records relating to the subject matter so as to take further action in the matter. He further submits that, as the persons responsible for the management of the said temple, it is the duty of the petitioners to initiate steps for the eviction of the encroachers by issuing a show cause notice under Section 83(2) of the Endowments Act 30/1987, as amended by Act 36/2023, to the 7th respondent, and to take further steps based on any explanation or reply submitted by the 7th respondent. Therefore, learned Assistant Government Pleader submits that this Court may pass appropriate orders.

6. On considering the submissions of both the learned counsels and upon perusing the entire material on record, this Court is inclined to dispose of the writ petition with the following directions:

- i. If the petitioners are intends to evict the 7th respondent, they are directed to initiate steps for evicting the 7th respondent under Section 83 (2) of the Endowments Act and thereafter submit a report before the 5th respondent temple.

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ii. Further, the respondent Nos.4 and 6 are directed to cooperate with the petitioners as and when required for eviction of the 7th respondent.

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

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

Sd/- K. TATA RAO
DEPUTY REGISTRAR

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SECTION OFFICER

To,

1. The Prl. Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati.
2. The District Collector, Palanadu district, Narasaraopet Palanadu (Guntur) district.
3. The Tahsildar, Rajupalem mandal Palanadu (Guntur) district.
4. The District Endowments Officer, Endowments Department Narasaraopet, Palanadu (Guntur) district.
5. The Manager, Kodandaramaswamy and Anjaneyaswamy temple, Kota Nemalipuri, Rajupalem mandal, (Guntur) Palanadu district.
6. The Inspector of Police, Sattenapalli, (Guntur) Palanadu district.
7. One CC to Sri Kasa Jaganmohan Reddy, Advocate [OPUC]
8. One CC to Sri Srinivasa Rao Narra, Advocate [OPUC]
9. One CC to Sri M. Srinivas Rao, SC for Endowments [OPUC]
10. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
11. Two CCs to GP for Endowments, High Court of Andhra Pradesh. [OUT]
12. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
13. Three CD Copies.

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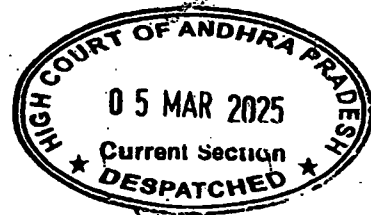
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HIGH COURT

DATED: 25/02/2025

ORDER

WP.No.86 of 2025



DISPOSING OF THE W.P. WITHOUT COSTS

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BEFORE THE A.P. ENDOWMENTS TRIBUNAL :: HYDERABAD ::

O.A. 12 / 2010

Between:-

01. The Asst. Commissioner, Endowments Dept.,
Guntur, Guntur Dist.

02. Sri Kodanda Rama and Anjaneya Swamy
Temple, Kota Nemalipuri Village,
Rajupalem Mdl., Guntur Dist., rep.

by it's Executive Officer R. Suryanarayana

V/S.

Muppalla Bala Krishna

Petitioners.

Respondent.

EVICITION PETITION FILED UNDER SEC. 83 OF THE A.P. CH. R.I.
AND ENDOWMENTS ACT, 30/87.

I. Description of the Petitioner: The 1st petitioner is The Assistant Commissioner, Endowments Department, Guntur, Guntur Dist.

The 2nd petitioner is Sri Kodanda Rama and Anjaneya Swamy Temple, Kota Nemalipuri Village, Rajupalem Mdl., Guntur Dist., rep. by it's Executive Officer, R. Suryanarayana, S/o. Bapaiah, Hindu, aged about 47 years.

The Address for Service is same as above and that of their Counsel, Gunturu Seshu Mohan, Advocate, Standing Counsel for Endowments, D.No. 5-11-1/1, 2/10, Brodie Pet, Guntur - 522 002.

II. Description of the Respondent: 1) The Respondent is Muppalla Bala Krishna, S/o. Radhakrishna, Hindu, aged about 28 years, A 1 Block, Police Lines, Back side of District Court, Kannavari Thota, Guntur City.

Assistant Commissioner,
Endowments Department
GUNTUR

EXECUTIVE OFFICER
Sri Kodandarama & Anjaneya S.T.
KOTANEMALIPUR VILLAGE

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The Addresses for Service are the same as above.

III. 01. It is respectfully submitted that the 2nd petitioner temple is the absolute owner of the land in a total extent of Ac. 19-74 cents in S.No. 249 which was later sub-divided into 3 bits as 1) S.No. 249/1 an extent of Ac. 0.30 cents ; 2) S.No. 249/2A, an extent of Ac. 8-72 cents and 3) S.No. 249/2B extent of Ac. 10-72 cents of Peda Nemalipuri (V), Rajupalem Mandal, Guntur Dist.,

02. It is submitted that the approved property register U/s. 43 of Endowments Act. 30/87, approved in R Dis. No. A3/9680/2009, dt. 09-11-2009 by 1st petitioner i.e. the Assistant Commissioner, Endowments Department, Guntur and the Re-survey Settlement Register clarify the ownership of the temple over the said land.

03. It is further submitted that when there arose a prior dispute regarding the possessory rights of the said land, the then Archaka Sri Narayanam Pardha Saradhi, i.e., the grand father of alleged vendor of the petitioner Sri Narayanam Seshtu Babu, filed a writ petition against 1) Assistant Commissioner, Endowments Department, Guntur 2) Manager of this respondent temple before the Hon'ble Court in W.P. 1816 of 1980 seeking for a direction against the orders of the Assistant Commissioner, Endowments Department, Guntur for taking possession of the said lands.

04. In the said case the then Archaka clearly mentioned in his affidavit that the subject land is belongs to the petitioner temple. which was entrusted by the then trustees to their ancestors for performance of the archakatvam by enjoying the makthas on the said land and further mentioned that the temple purchased the said extent of Ac. 19-00 cents of land besides owning Ac. 6-27 1/3 cents in D.No. 189, Kubadapuram Village and Ac. 9-40 cents in D.No. 721, Nandi Rajupalem Village. Hence, the same clarify that the said land is belongs to the temple.

Assistant Commissioner
Endowments Department
GUNTUR

EXECUTIVE OFFICER
Sri Kodandarama & Anjaneya S.T.
KOTANEMALIPUR VILLAGE

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05. It is submitted that the schedule mentioned property is now in un-authorized occupation of the respondent herein. The said land would fetch a maktha of 15 bags of paddy per acre since wet land or Rs.15,000/- in terms of money per acre per year, if leased out as per rules. The temple is loosing huge income and where as the respondent is un-authorisedly and illegally swallowing the income derived on the land.

06. It is submitted that since the respondent is in un-authorised occupation, he became an encroacher as per the provisions of the Endowments Act, 30/1987 and liable to be evicted from the schedule mentioned property. The 2nd petitioner issued a notice dated 24-04-2010 through Regd. Post to the respondent calling upon him to vacate and handover possession of the schedule mentioned property, otherwise legal action would be initiated. The Respondent received the notice and got issued a reply with un-tenable averments stating that he purchased the land from the present Archaka Narayanam Seshu Babu, under Regd. Sale deed dated: 02-03-2010 vide Doct., No: 1103, Sub Registrar Office, Piduguralla and that his vendor is the True owner, and that he need not vacate, handover the land.

07. But in view of Sec. 75 and 80 of Endowments Act.30/87 any alienation of Endowments land without the sanction of competent authority is null and void. As such respondent did not get any rights and his possession is un-authorized. The said previous Archaka late Narayanam Pardha Saradhi is the grand father of the present Archaka i.e., Narayanam Seshu Babu, who is the alleged vendor of the respondent. Hence, if any sale is made regarding the subject land, it is not binding on the temple since, it is an endowment property.

08. It is submitted that the said previous writ petition was disposed after due hearing by the Hon'ble High Court of A.P., Hyderabad as per it's orders dated: 20-06-1986 while mentioning that "the court passed an interim order on 20-04-1981 directing that the

Assistant Commissioner,
Endowments Department
MUNTUR.

EXECUTIVE OFFICER
Sri Kodandarama & Anjaneya S.T.
KOTANEMALIPUR VILLAGE

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petitioners should continue in possession on the property. It is not denied in the counter affidavit that there is a compromise in 1920 under which the petitioners were given these lands towards their remuneration for services to be rendered by them as archakas. It is not denied that the said compromise is not set-aside by any competent authority or any proceedings are taken to set-aside the same. So long as the compromise stands, the impugned order directing the petitioners to handover possession of the property to the manager is wholly illegal. It is open to the respondents - authorities to take appropriate steps under law to challenge the compromise and get it set-aside. Hence, the impugned order is set-aside and writ petition is allowed."

09. In view of the said orders the archakas are allowed to continue in possession. But, thereafter, the Endowments Act. 30/87 came into force, which nullifies all the previous compromises etc., as per Sec. 42 and 160 of the Endowments Act 30/87. As per the guidelines of Hon'ble Supreme Court of India, the possession of the lands are continued with the Archakas of 6 (c) temples. As such the Archakas of this respondent temple continued their possession over a total extent of Ac. 28-36 cents. The petition-schedule property is part and parcel of the said total extent of Ac. 28-36 Cents.

10. In spite of repeated demands the respondent failed to vacate and handover the possession. Hence the petition praying to pass eviction orders for removal of encroachment by the respondent and for passing necessary orders.

IV. Cause of Action for the petition arose when the respondent is in unauthorized occupation of the petition schedule land and continued his unauthorized occupation and thereby became an encroacher as per Sec. 83 of Endowments Act 30/87, and liable to be evicted from the petition schedule site and when in spite of repeated demands and when

Assistant Commissioner,
Endowments Department
GUNTUR

EXECUTIVE OFFICER
Sri Kodandarama & Anjanaya S.I.
KOTANEMALIPURI VILLAGE

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the 2nd petitioner issued regd. notice dt. 24-04-2010 and when the respondent received the same and got issued a reply notices dated: 30-04-2010 and 05-05-2010 with false averments and when the respondent failed to vacate and handover possession of the petition schedule land at Peda Nemalipuri Village, Rajupalem Mandal, Guntur Dist., where the land is situated and at Kotanemalipuri where the petitioner temple is situated all within the jurisdiction of the Hon'ble Court.

V. This being a petition U/s. 83 of the Endowments Act, 30/87, Court Fee of Rs. /- is paid herewith by way Challan in Andhra Bank, Kachiguda Branch, concerned Endowments in online Account No.032110100023503.

VI. The petitioner therefore prays that the Hon'ble Court may be pleased to :

- a) Pass Eviction orders against the Respondent directing him to vacate and handover the Petition schedule mentioned property to the petitioner temple
- b) grant costs of the petition;
- c) Pass such other orders as are just and necessary in the circumstances of the case.

1. Assistant Commissioner
Endowments Department
GUNTUR

2. EXECUTIVE OFFICER
Sri Kodandarama & Anjanaya S.T.
KOTANEMALIPURI VILLAGE

Advocate for Petitioners

Petitioners

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I do hereby declare that the facts stated above are true to the best of my knowledge, belief and information and computerized on our explanation and found to be true and correct after typing.

1. Assistant Commissioner
Endowments Department
M. S. T. D.

2. EXECUTIVE OFFICER
Sri Kadanarama & Anjanaya S.T.
KOTANEMALIPUR VILLAGE

Petitioners.

List of documents filed on behalf of the Petitioner U/O.V.T.R. 14 C.P.C.

1. 09-11-2009 : Approved property register of the temple.
2. 20-06-1986 : C.C. of Affidavit and Orders of Hon'ble High Court in W.P.1816/80.
3. 24-04-2010 : Regd. Notice issued by the petitioner to the respondent.
4. : Postal Acknowledgement Nos in 2, since sent to two addressess.
5. 30-04-2010 : Reply Regd. Notice got issued by the Respondent from Sattenapalli.
6. 05-05-2010 : Reply Regd. Notice got issued by the Respondent from Guntur.
7. : C.C. of R.S.R. issued by M.R.D. Roupalem.

Advocate for Petitioners

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BEFORE THE A.P. ENDOWMENTS TRIBUNAL :: HYDERABAD ::

O.A 12 /2010.

BETWEEN:

01. The Asst. Commissioner, Endowments Dept.,
Guntur, Guntur Dist.

02. Sri Kodanda Rama and Anjaneya Swamy.
Temple, Kota Nimalipuri Village,
Rajupalem Mdl., Guntur Dist., rep.
by it's Executive Officer R. Suryanarayana

Petitioners.

V/S.

Muppalla Bala Krishna,

Respondent.

SCHEDULE FILED ON BEHALF OF THE PETITIONERS

Guntur Dist., Pidduguralla Sub Registrar, Rajupalem Mandal, Peda Nimalipuri
Village Agricultural wet land in an extent of Ac.5-00 Cents in S.No: 249/2B out of Ac.
10-72 Cents bounded by:-

- East : High Way Road leads to Nekarikallu
South : Gutta Brahmeswara Rao
West : Land belongs to Petitioner
under occupation of Tamirisa Rajyalakshmi (Archaka)
North : Devarampadu Road.

1. Assistant Commissioner,
Endowments Department
GUNTUR.

2. EXECUTIVE OFFICER
Sri Kodandarama & Anjaneya S.T.
KOTANEMALIPURI VILLAGE

Petitioners.


Advocate for Petitioners

I do hereby declare that the facts stated above are true to the best of my knowledge,
belief and information.

1. Assistant Commissioner,
Endowments Department
GUNTUR.

2. EXECUTIVE OFFICER
Sri Kodandarama & Anjaneya S.T.
KOTANEMALIPURI VILLAGE

Petitioners.

Place: Guntur.
DL 28 -12-2010.

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Mr. GUNTURU S.M.
For: Petitioners

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BEFORE THE A.P. ENDOWMENTS
TRIBUNAL :: HYDERABAD

O.A. 12 /2010/

EVICTON PETITION FILED ON
BEHALF OF THE PETITIONERS
U/ SEC 83 (1) OF THE A.P. CH. R.
AND ENDOWMENTS ACT, 30/87.

FILE
GUNTURU SESOHAJAN
Advocate
and standing counsel for the petitioners
D.No: 5-11-1/1, 10, B Pet,
GUNTURU, 5574

IN THE COURT OF THE A.P. ENDOWMENTS TRIBUNAL : :

HYDERABAD

O. A. 449 / 2012

Between:

Palle Siya Reddy and another

... .. Petitioners

and

**01. The Deputy Commissioner,
Endowments Department, Guntur
and two others**

... .. Respondents

COUNTER FILED ON BEHALF OF 4TH RESPONDENT

01. The material allegations mentioned in the petition are false and untenable under law as such the petition is liable to be dismissed with costs.
02. The allegations that the petitioners are the devotees of the subject temple i.e., Sri Kodanda Rama and Anjaneya Swamy Temple, Kotanemalipuri, Rajupalem Mandal, Guntur District and that the 3rd respondent temple is the absolute owner of land admeasuring an extent of Ac. 19-74 Cts. in S.No: 249 which is subdivided into three bits i) S.No: 249/1 and extent of Ac. 0-30 Cts, ii) S.No: 249/2A an extent of Ac. 8-72 Cts iii) S.No: 249/28 an extent of Ac. 10-72 Cts. of Pedanamalipuri Village, Rajupalem Mandal, Guntur District and that the property registered U/s 43 of Endowments Act, 30/87 as recorded in proceedings R.Dis. No: A3/9680/2009 dt. 09-11-2009 by the 2nd respondent and the RSR clearly shows the ownership of the temple over the said land and that the land belongs to the temple which is entrusted to the Archakas for performance of the Archakatvam which include Paditharam Expenses and remuneration and that the Archakas are entitled only for the usufruct of the said land and they are not entitled to get any Pattas / rights to alienate the temple land and the said land is donated by the ancestors of the appellant / petitioner herein and others in the year 1909 vide document No: 378 / 1909 dt. 27-02-1909 to the subject temple as Inam for the purpose of rendering poojas, offering Naivedyam, in the subject temple and the subject lands are also recorded as Endowment land in the register maintained by the Endowments Department,

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under the provisions of the Act, and that in the year 1984 Archakas managed to obtain Pattadar Pass Books on their personal names and agreed by this the Executive Officer made a representation dt. 22-09-2007 requesting the revenue officials to cancel the Pattadar Pass Books and no action has been taken for cancellation of the said Pattadar Pass Books and subsequently the Endowments Department came to know the said lands were sold away in favour of Muppalla Bala Krishna under document No: 1103/2010 dt. 02-03-2010 and proceedings were initiated authorising the Deputy Commissioner to present the cancellation of the deeds before the registering officer and for annulling the fraudulent registration by the Archakas in respect of the land Ac. 5-00 Cts in S.No: 249 / 2B situated at Kotanemalipuri Village, Rajupalem Mandal, Guntur District and that the department authorities corresponded with the registering department under their letters dt. 12-04-2010 requesting the officials not to entertain any registration in respect of subject land, and that the Pattadar Pass Books dt. 24-12-2010 were cancelled which were issued in favour of the Archakas and a direction was given to the Tahasildar, Rajupalem Mandal, for re-issuing Pattadar Pass Books and Title Deeds in favour of the Subject Temple and also requested to incorporate the changes in the concerned records and that suppressing filing injunction suit in O.S. 880/2010 and counters filed therein the 4th respondent filed the writ petition 7223/2011 challenging the action of the registering authorities in not entertaining the rectification deed submitted by the 4th respondent and that in the above referred circumstances the petitioners are entitled to declare the schedule lands to be endowed properties to the 3rd respondent and the schedule filed with the petition are true and correct are one and all false.

03. It is submitted that this respondent purchased the petition schedule property from one ^A Narayanam Seshu Babu who is the grand son of Narayanam Pardhasaradhi under Regd. Sale Deed No: 1103/2010 dt. 02.03.2010 S.R.O., Piduguralla.

04. It is submitted that the Endowments Department already initiated eviction proceedings O.A. 12/2011 showing this respondent as 1st respondent and

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vendor of this respondent as 2nd respondent. This respondent contesting the said case by filing counter.

05. It is humbly submitted that when the petition averments and the counter filed by the 3rd respondent i.e., Executive Officer of the subject temple is taken into consideration, the petitioners and the department authorities are sailing together and aimed to occupy the schedule property without any basis for their claim.

06. It is submitted that when the basic document referred by the petitioners in the present petition and so also the petitioners in O.A. No; 12/2011 (Eviction Proceedings initiated by the Department) and the 3rd respondent and other department authorities relying upon one and same documents claiming a false title in favour of the subject temple for the schedule property.

07. It is submitted that the material documents referred claiming title by the department authorities and so also the petitioners in the present petition are as follows :

- a) Approved Sec. 43 Register
- b) The alleged affidavit filed by the Archaka in W.P.No: 1816/1980
- c) The alleged Registered Document No: 378/1909 dt. 27-02-1909 alleged to be executed by the ancestors of petitioners in O.A. 449/2012

08. It is submitted that the alleged Sec. 43 register is only a fabricated registered prepared by the department authorities to suit their claim without following the procedure laid down under the act for preparation of the same. This respondent specifically disputing the entries made in the said register. The contents there under the said register are absolutely false.

09. It is submitted that alleged affidavit filed by the Archaka in W.P.No: 1816/1980, while specifically disputing the contents therein this respondent humbly submits that the relevant paras in the alleged affidavit under Para No: 2 of the said affidavit refers to "the land in an extent of Ac. 6-00 Cts. and 97 1/2 Cts. in D.No: 189 and an extent of Ac. 9 40 Cts. in D.No: 721 of Kubadpuram

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and Nandirajupalem respectively endowed to the temple subsequently an extent of Ac. 19-00 Cts was purchased by the temple. Thus the temple came to own Ac. 35.42, 1/2 Cts dry land. At Para No: 3 of the said alleged affidavit the trustees found it convenient to enter into an agreement with Archaka and placed at his disposal an extent of Ac. 19-74 Cts in D.No: 490 in Nemalipuri Village and Ac. 6:97,1/2 cents in D.No: 189 in Kubadpuram".

10. It is submitted that when the above referred paras in the alleged affidavit are taken into consideration, there is no mention in which village and D.Number the alleged Ac. 19-00 Cts was purchased by the subject temple. It is pertinent to note that Ac. 19-74 Cts referred in the affidavit is situated in Nemalipuri Village under D.No: 490 but not under D.Nos. 249/2 or its sub Division Numbers 249/2A, 249/2B. Whereas the property purchased by the 4th respondent is under 249/2B an extent of Ac. 5-00 Cts situated in Nemalipuri Village, which was purchased under a Regd. Sale Deed. When the D.Nos. referred in the alleged affidavit they are no way connected with the property purchased by the 4th respondent under S.No: 249/2B Ac. 5-00 Cts. As such this respondent specifically disputing the identity of the property. The petitioners and so also the 3rd respondent and department authorities making an illegal attempt to lay their hands over the schedule property without any right and title. The claim of the petitioners is not tenable either on facts or under law. The claim of the petitioners that situation of Ac. 19-74 Cts in S.No: 249 with its sub division numbers 249/1, 249/2A, 249/2B with respective extents mentioned under the schedule is absolutely not tenable and Ac. 19.74 cts situating in the said D.No. 249 is absolutely false. The petitioners under the guise of protecting temple rights being devotees making illegal effort to grab the property covered under the sale deed in favour of the 4th respondent under Regd. Sale Deed No: 1103/2010 dt. 02.03.2010 S.R.O., Piduguralla. The Department authorities supporting the claim of the petitioners in an illegal manner knowing fully well the property covered under D.No: 249 and under its subdivisions is only personal Inam property which is subsequently converted into Roytwari Pattas in terms of Inam Abolition Act and pattas were issued in favour of the ancestors of the vendor of the 4th respondent herein and they became final unquestioned.

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11. It is submitted that in W.P. No: 1816/1980, the proceedings of Asst. Commissioner, Endowments, Guntur under R.C.No: A2/14442/79, dt. 6-11-1979 against the ancestors of the vendor of this respondent were set-a-side while allowing the writ petition while observing in the said order that the compromise referred in counter affidavit of the year 1920 until it is set-a-side by the competent authority the order of directing the petitioner wherein to handover the possession of the property is wholly illegal. When the same is taken into consideration even till today except the present petition for declaration, there is no legal proceedings initiated the department authorities or any body to set a side the compromise referred. While identifying the schedule property covered under the same referred in the present petition. On that ground itself the petition is prematurred and infructuous and not maintainable under law.

12. It is submitted that in terms of the bar provided under the Inams Act ousting the jurisdiction of the civil courts and other authorities to entertain any claim with regard to Inam pattas which became final, makes the present petition not maintainable and this Hon'ble Tribunal ought to have returned / rejected the petition at the door step itself without numbering the same. This respondent specifically contending that the present petition is not maintainable on the point of jurisdiction and prays the Hon'ble Court to decide the same as priliminary point.

13. It is submitted that even when the Registered Document No: 378/1909 dt. 27-02-1909 alleged to be executed by the ancestors of petitioners in O.A. 449/2012 is taken into consideration the land in S.No: 249 and its present sub divisions does not found place in the said document and as such the claim of the petitioners even on the alleged document is not tenable and not maintainable.

14. It is submitted that the subject matter property is a service Inam which was given to the ancestors of vendor of this respondent i.e., Narayanam Seshu Babu for the services which were being rendered by the ancestors of Narayanam Seshu Babu, the vendor of this respondent to the diety. The ancestors of vendor of this respondent were enjoying the petition schedule property along with other property during their life time and thus seeking their livelihood even prior to the year 1920. While things stood thus the Andhra Inam abolition act

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and conversion into Rytwari came into force in the year 1956. At that juncture, the Inam Tahsildar had enquired into the services being rendered by the ancestors of the vendor of this respondent and accordingly granted pattas to the respective archakas who were rendering services to the diety and who were in possession of the property. The vendor of the respondent and his predecessors in title were duly paying tax to the concerned authorities. It is settled principle of law that when once the competent authority under Inam Abolition Act issued Rytwari Pattas if they became final without any appeals, they can not be re-opened by any authority or court of law except under the machinery provided under the said Act. The Pattas in favour of ancestors of vendor of the respondent became final without any appeals. Infact, Village Settlement Register of Nemalipuri Village of Rajupalem Mandal clearly and clinchingly shows that the Tahsildar had converted the Inam property into rytwari and accordingly relevant entries were made in the relevant registers. Thus it is crystal clear that during the year 1960 itself rytwari patta was granted in the name of the ancestors of the vendor of this respondent. Eversince the petition schedule property has been considered to be a patta land and the same is recognised by all the Government agencies inclusive of the Endowments Department. Infact, the manual R.S.R. too discloses that Narayanam Pardhasaradhi was holding patta over the petition schedule property and other properties.

15. While so, the ancestors of vendor of this respondent Narayanam Pardhasaradhi along with Tarimisa Rajyalakshmi who is the sister of Pardhasaradhi jointly mortgaged the property mentioned in the petition schedule and other properties with Andhra Bank, Rajupalem. The mortgage was duly registered before Pidugurall Sub Registry as Doc. No: 1362/1997. There after the said mortgage was redeemed and a release Document was executed to that effect in Doc. No: 19/2003 before the Sub Registrar, Piduguralla. Meanwhile, the residents near to Rajupalem mandal said to have been made application to the District Collector for grant of allotment of agricultural lands to the SC, ST & BC people. The District Collector referred the issue to the Revenue Divisional Officer, Guntur who in turn conducted enquiry and categorically stated that S.No: 249/2 which is an extent of Ac. 19.44 Cts. is in favour of Tarimasa Rajyalakshmi and Narayanam Pardhasaradhi but not belongs to the subject

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temple/Endowments Department. Further the proceedings of Mandal Revenue Officer categorically states that Narayanam Pardhasaradhi was the absolute owner to the petition schedule property and on the said ground the Mandal Revenue Officer submitted his report that the property in S.No: 249/2 is not the property of Endowments and it belonged to Tarimisa Rajyalakshmi and Narayanam Pardhasaradhi. The vendor of this respondent on attaining majority could able to secure both title pass book and pattadar pass book with regard to the petition schedule property from the revenue authorities. Infact, the vendor of this respondent was in the habit of obtaining agricultural loan from Andhra Bank, Rajupalem from time to time by mortgaging the respective title pass book and pattadar pass book. Infact the vendor of this respondent Narayanam Seshu Babu was also paying cist to the revenue authorities from time to time and the title deed and pattadar pass books even were not cancelled by the concerned Revenue Authorities but the petitioners and so also the department authorities coming forward with a false plea that the title deed and patta dar pass books in favour of Vendor of this respondent were cancelled. The said allegation is absolutely false. Thus, it is crystal clear that the property mentioned in the petition schedule belonged to Narayanam Seshu Babu which was obtained through his ancestors. Infact these facts are also known to the petitioners very well.

16. It is submitted that without following the procedure layed under the Sec. 83 of the Endowment Act, the department authorities initiated eviction proceedings under O.A. No: 12/2011 on the file of this Hon'ble Tribunal.

17. It is submitted that an association is said to have been formed under the name and style of "Sri Kouandarama Swamy Devalaya Abhivrudhi Sangam" at Kotanemalipuri, Rajupalem Mandal, wherein it is learnt that number of people were said to have been made as members for which one Basu Linga Reddy is the president. The said association is formed under the guise of rendering service to the society and in the said guise attempting to acquire in property in S.No: 249/2A, 2B. The petitioners who are the henchmen to the said society making illegal efforts to grab the schedule property. Inspite of knowing the

illegal attempts of the said society including the petitioners, the department authorities instead of curtailing the same coming forward with false contention that the schedule property belongs to the temple without any basis for its claim. On the other hand, it is only at the instance of the said society, the department authorities and the petitioners must have filed this petition against this respondent with ulterior motive to grab the schedule property.

18. It is submitted that to protect his legal rights over the schedule property covered under the Regd. Sale Deed in his favour for a valid consideration dt. 02.03.2010, this respondent filed a civil suit in O.S.No: 880/2010 on the file of Hon'ble V Addl. Senior Civil Judge, Guntur and obtained interim injunction against the said society members on 22.07.2010 in I.A.No: 683/2010 in O.S.No: 880/2010. The said suit is pending. When the department authorities have been making illegal efforts to get the registered sale deed obtained by this respondent from his vendor with regard to petition schedule property cancelled, this respondent was constrained to approach the Hon'ble High Court of A.P. in W.P. No: 1744/2010 wherein the department authorities are parties along with others. The Hon'ble High Court of Andhra Pradesh vide its order dt. 21.7.2010 ordered interim suspension of proceedings of the department authority herein dt. 23.4.2010 until further orders. and subsequently the said writ petition was dismissed with liberty to the present respondent to avail appropriate remedies in the event of any adverse action is taken by the Sub Registrar, Piduguralla, in pursuance of the impugned proceedings. The said writ petition was dismissed on the opinion that the two proceedings are in the nature of internal correspondence between the 6th respondent Asst. Commissioner, Endowments, Guntur and 7th respondent i.e., the Executive Officer of the temple on one side and the 2nd respondent Sub Registrar, Piduguralla on the other side and if the Sub Registrar, Piduguralla taken any decision on those proceedings that would give raise to a cause of action to the writ petitioner to avail his remedies.

19. It is submitted that, in the said writ petition the 7th respondent Executive Officer of the temple, 6th respondent Asst. Commissioner, Endowments Department, Guntur and 2nd respondent Sub Registrar, Piduguralla along with 3rd respondent Tahsildar, Rajupalem, Guntur have filed their respective counters

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wherein the 3rd respondent Tahsildar, Rajupalem has categorically stated that the subject matter property belonged to Narayanam Seshu Babu as per the records and also stated that Narayanam Seshu Babu was in possession and enjoyment of the same. Further it was mentioned that the property mentioned in the petition schedule which is subject matter property of the writ petition is a Patta Land. The 2nd respondent Sub Registrar, Piduguralla also filed his counter that as per the records available with the sub registry, the subject matter property is not included in the endowments property list.

20A. It is submitted that even the revenue records namely Adangals and also Village Settlement Register under Fasali No: 1371 clearly disclosed that the schedule property is Inam land and converted into Roytwari Land.

20. It is submitted that thereafter the department authority got cancelled the sale deed and got registered cancellation document No: 1955/2011 dt. 29-03-2011 and subsequently this respondent initiated necessary writ proceedings and finally in view of the suit before the civil court is already initiated under O.S.No: 12/2012 on the file of VI Additional District Judge, Guntur, for declaration of his title and other reliefs, withdrawn the W.P. No: 14814/2011 on the file of Hon'ble A.P. High Court, seeking permission for withdrawal without prejudice to his rights to pursue other remedies and accordingly the permission was accorded and the W.P. was dismissed including miscellaneous petitions on 24.04.2012. Subsequently, this respondent filed necessary amendment petition seeking for cancellation of the cancellation deed no: 1955/2011 dt. 29.03.2011 in O.S.No: 12/2012 on the file of VI Additional District Judge, Guntur and said amendment petition with additional relief sought for was allowed and the suit is pending.

21. It is submitted that this respondent could able to secure Account No: 4 of Nemalipuri village, 1B register and Adangal pertains to the petition schedule property which clearly goes to show that Narayanam Seshu Babu and his grand father Parthasaradhi are the absolute owners to the petition schedule property and other properties and they are in possession of the same. The said documents were obtained by the respondent under the provisions of Right to Information

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Act. This respondent further states that this respondent also made an application for furnishing the list of properties endowed and under the control of the Endowments Department, connected with S. No: 249/1 and 2 properties and other documents through RTI Act. The department authorities having received the said application failed to furnish the relevant documents to this respondent and ultimately provided Sec. 43 register copy. The schedule property is illegally included in the property register in the year 2009.

22. It is submitted that the vendor of this respondent filed a suit in O.S.No: 12/2011 on the file of Hon'ble II Addl, District Judge, Guntur for partition of the joint family property among the father and son by declaring that the property is a patta land and for permanent injunction restraining the department authorities along with the above mentioned society and other. The said suit is pending.

23. It is submitted that the petition schedule property which is purchased by this respondent from Narayanam Seshu Babu is a Inam patta land and this respondent by virtue of the same became the absolute owner of the petition schedule property and has been enjoying the same to the knowledge of one and all. Sec. 14 of A.P.(AA) Abolition and conversion into Rytwari Act 1956, there is specific bar of jurisdiction of civil court and as per Sec. 15 of the said Act, the Inams Act having overriding effect against other laws. The petitioners suppressing true facts knowing schedule land Inam Land only at the instance vested interests filed the present petition. The Apex Courts clearly held that patta land holders has got absolute rights even to alienate the same. Viewed from any angle the petition is not maintainable either on facts or under law, as such the same is liable to be dismissed.

24. It is submitted that in O.S.No: 880/2010 which was filed by this respondent seeking for permanent injunction before the Hon'ble V Additional Senior Civil Judge, Guntur, is pending. In the said suit this respondent filed I.A. 683/2010 in O.S. 880/2010 seeking for temporary injunction against the respondent therein and the petitioners in the present petition Palle Siva Reddy and Annapareddy Anjaneya Reddy are Respondent No: 9 and R4 respectively. The Hon'ble court on enquiry granted temporary injunction in favour of 4th

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respondent herein who is the plaintiff in the said suit. In the said order dt. 14-03-2012 at Para No: 25 the Hon'ble Court observed that "*if the property belongs to Endowments Department, the Deputy Commissioner, has to approach court and get the sale deed cancelled. But he can not cancel the sale deed by himself. He is not vested with such power by the Endowments Act, to cancel the sale deed. So, the cancellation deed dt. 29-03-2011 is not valid and binding on the petitioner*".

25. It is submitted that the respondents in the above said I.A., preferred appeal CMA No: 16/2012 in III Additional District Judge Court, Guntur and the orders went in favour of the appellants / respondents. Subsequently the 4th respondent herein preferred CRP 5228/2012 against the orders in CMA 16/12 before the Hon'ble A.P. High Court. The Hon'ble A.P. High Court on enquiry confirmed the lower court orders granting temporary injunction in favour of the 4th respondent herein. As such the cancellation deed affected by the department authorities is invalid under the law.

26. It is submitted that the Endowments Department authorities simply brushing of the said proceedings and said orders on the ground that they are not parties to the suit which is not tenable under law. The Hon'ble V Additional District Judge, Guntur even passed police protection orders in favour of the 4th respondent herein in I.A. No: 683/2010 in O.S.No: 880/2010 restraining the Illegal Interference with the schedule property by the respondents in the said suit.

27. It is submitted that in course of protection of his civil rights connected with the schedule property, this respondent initiated criminal proceedings against the Department Authorities and also against the petitioners in the present petition and some others for creating forged and collusive documents and affecting cancellation of sale deed unilaterally and the concerned police registered crime No: 124/2012 of Rajupalem P.S., and the same is pending.

Contd., 12 ...

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28. It is submitted that considering the above legal cases, and boring grudge against this respondent, the department authorities and the petitioners being enimical towards this respondent filed the present petition with all false averments.

29. It is submitted that the present petition is not maintainable for want of jurisdiction and also not maintainable either on facts or under law and the same is liable to be dismissed with costs.

30. It is submitted that this respondent specifically denies the contents and the genuineness of the documents relied by the petitioners and the department authorities in the present case and they are put to strict proof of the same.

31. Such other allegations that are not specifically referred and admitted to be true are hereby denied by this respondent and the petitioners are put to strict proof of the same.

32. It is therefore prayed that the Hon'ble court may be pleased to dismiss the petition with exemplary costs.

P. P. P. P.

Advocate for 4th Respondent

M. Babu Pundarik
4th Respondent

I do hereby declare that the facts stated above are true to the best of my knowledge, belief and information.

M. Babu Pundarik
4th Respondent

P10 (91) 94 75 P12
IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
THURSDAY, THE TWENTY SEVENTH DAY OF JUNE,
TWO THOUSAND AND THIRTEEN

:PRESENT:
THE HON'BLE SRI JUSTICE NOUSHAD ALI
WPMP.NO:22384 of 2013
IN
WP.NO:18335 of 2013



Between:

- 1 N.L.N.Murthy, S/o.N.Partha Sarathy,
- 2 Narayanam.Dhanwatari Bharadwaj, S/o.N.L.N.Murthy,

---Petitioners
(Petitioners in WP 18335 of 2013
on the file of High Court)

AND

- 1 The Government Of Andhra Pradesh, Rep. By its Deputy Commissioner of Endowments, Naaz Center, Guntur, Guntur District
- 2 The Inspector, Endowments Department, Sattenapalli, Guntur District.
- 3 The Executive Officer, Sri Kodanda Rama and Anjanyaswamy Temple, Kotanemalipuri Village, Rajupalem Mandal, Guntur District.
- 4 The Tahasildar, Rajupalem Mandal, Guntur District.

---Respondent(s)
(Respondents in-do-)

Counsel for the Petitioners	:	SRI S. S.N. MOORTHY
Counsel for the Respondents No. 1 & 2 :		GP FOR ENDOWMENTS
Counsel for the Respondent No. 3 :		SRI V.T.M. PRASAD
Counsel for the Respondent No.4 :		GP FOR REVENUE

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in the W.P. the High Court may be pleased to Stay the Auction dated 03.07.2013, for the lease hold rights of land in Sy.No.189/1A, in an extent of Ac 3-17 cents, and in Sy.No:249/2A, in an extent of Ac8-72 cents, pending disposal of WP No. 18335 of 2013 on the file of the High Court.

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

ORDER

The material filed in the writ petition shows that the subject land is the private land.

Hence, there shall be interim stay as prayed for.

Sd/- C.V.MALLIKARJUNA VARMA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Deputy Commissioner of Endowments, Naaz Center, Govt of A.P., Guntur, Guntur District
- 2 The Inspector, Endowments Department, Sattenapalli, Guntur District.
- 3 The Executive Officer, Sri Kodanda Rama and Anjanyaswamy Temple, Kotanemalipuri Village, Rajupalem Mandal, Guntur District.
- 4 The Tahasildar, Rajupalem Mandal, Guntur District. (1 to 4 by RPAD)
- 5 One CC to Sri S.S.N.Moorthy, Advocate (OPUC)
- 6 Two CCs to the G.P. for Endowments, High Court of A.P., Hyd. (OUT)
- 7 One spare copy.

u/u
SUPERINTENDENT
Copyist Department
High Court of Judicature at Hyderabad
for the State of Telangana and the
State of Andhra Pradesh

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT
HYDERABAD

W.P.No.17477/2010

Between :

Mupalla Bala Krishna
S/o. Radhakrishna aged about 23 yrs.,
R/o.Nemalipuri Village,Rajupalem Mandal,
Guntur District.

Petitioner.

And

1.The Commissioner and Inspector
General of Registration and Stamps Dept.,
Andhra Pradesh , Hyderabad and seven others

Respondents

COUNTER AFFIDAVIT FILED ON BEHALF OF THE
RESPONDENT Nos.3 to 5

I, M.Padma Kumari , W/o.Sri Mathaiah, aged about 55 yrs., Occ:
Tahsildar, Rajupalem Mandal, Guntur District , do hereby solemnly affirmed
and state as follows :

1. I am the Respondent No. 3 in the Writ petition and I am filing this counter affidavit on behalf of the Respondent nos. 4 and 5 also. I have read the affidavit of the petitioner and in reply there of I submit as under:
2. In reply to para - 2 of the petitioner's affidavit, it is submitted that as per available records, the land i.e., Acs. 5.00 in S.No. ^{249/2B} ~~294/2B~~ is a patta land owned by the ancestors of Narayanam Seshu Babu S/o. Lakshmi Narasimhamurthy. It is further submitted that the 3rd Respondent is not having any knowledge about registration made by the 2nd respondent for the

MANDAL PARISHAD DEVELOPMENT OFFICER
RAJUPALEM.

TAHSILDAR
RAJUPALEM MANDAL
GUNTUR DIST.

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present suit scheduled property i.e., Acs. 5.00 in S.No.249/2 B of Nemalipuri Village in favour of the present petitioner on 2.3.2010 through document No. 1103/2010.

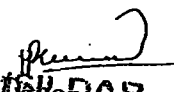
3. In reply to para - 3 of the affidavit, it is submitted that as per available records, the classification of the present suit scheduled property is a patta land belonging to Narayanam Seshu Babu S/o.Narayanam Lakshmi Narasimha Murthy of Nemalipuri Village of Rajupalem Mandal and the present suit scheduled property is being cultivated by Narayanam Seshu Babu as per the entries recorded in Village Records.


4. In reply to paragraphs 4 and 5 of the affidavit, it is submitted that as per available records, pattadar pass books and title deeds have also been issued in favour of Narayanam Seshu Babu S/o.Narayanam Lakshmi Narasimha Murthy of Nemalipuri for the present suit scheduled property.

5. I deny the various averments made in the Writ affidavit. It is submitted that no relief is sought against the Respondent Nos. 3, 4 and '5' and therefore, the Writ petition is liable to be dismissed so far as the respondents 3, 4 & '5' are concerned.

6. In the circumstances, it is therefore prayed that this Hon'ble Court may be pleased to dismiss the Writ petition so far as the Respondent No.s 3,4 and '5' are concerned.

Solemnly affirmed before me
on this the day of Dec'2010
at Rajulapalem Mandal, Guntur
District.


TAHSIL DAR
RAJUPALEM MANDAL
Guntur Dist.

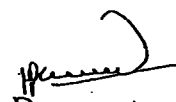

MANDAL PARISHAD DEVELOPMENT OFFICER
RAJUPALEM.

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VERIFICATION STATEMENT

I, M. Padma Kumari, W/o. Sri Mathaiah, aged about 55 yrs., Occ: Tahsildar, Rajupalem Mandal, Guntur District, do hereby state the contents of paragraphs (1 to 6) are true to the best of my knowledge and belief. Hence, verified on this the day of Dec'2010 at Rajulapalem Mandal Guntur District.

Govt. Pleader for Revenue (G) (A&R)


Deponent
TAHSILDAR
RAJUPALEM MANDAL
Guntur Dist.

From:
Smt.Ch.Vijaya Jyothi Kumari,
B.Sc., B.Ed., MA.

Tahsildar,
Rajupalem Mandal.

To
The Revenue Divisional Officer,
Guntur.

Rc.No.404/2015-A, Dt.02.02.2016.

Sir,

Sub:- Lands-Endowment Lands-Guntur District,
Rajupalem Mandal-Nemalipuri village-Sy.No.249/2B
and extent of Ac.5.00 cents-Request of issue of No
Objection Certificate-Report Submitted-Reg.

Ref:- 1) Collector, Guntur, Rc.No.1041/2015-E4, Dt.12.03.2015.
2) Asst Commissioner, Endowments Department, Guntur
Lr.in Rc.No.A3/9480/2012, Dt.25.09.2014.
3) Other Concerned Papers.

@ @ @

I invite Kind attention to the references cited above and submit that, I have enquired into the matter personally and as per records available

It is submitted that land situated in Sy.No.249/2 measuring an extent of Ac.19.44 cents of Nemalipuri village is Inam Land as per RSR.

It is submitted that, according to the Andhra Inam abolition and conversion into Rytwari act came into force in the year 1956. the Inam Tahsildar had enquired into the lands situated in Sy.No.249/2 granted Form VIII i.e.Ryothywary pattas to the respective ancestors of Narayaam Seshu Babu who were in possession of the property vide RcNo.507/16-3-60 and this same was noticed in the copy of village settlement register.

According to Village Settlement Register of Nemalipuri Village of Rajupalem Mandal clearly shows that the Tahsildar had converted the Inam property into Ryotwari and accordingly relevant entries were made in the relevant registers. Thus it is crystal clear that during the year 1960 itself Ryotwari patta was granted in the name of the ancestors of Narayanam Seshu Babu. In fact, the manual R.S.R. too discloses that Narayanam Pardhasaradhi was holding patta over the property and other properties.

It is further submitted that in the year 1984, the Tahsildar, Rajupalem Mandal issued joint patta in favor of Narayanam Pardha Saradhi and his sister Tarimesa Rajya Lakshmi in D.No.898/84-E Dt.18.08.1984.

Later in the year 1988 the FMB pertaining to the land an extent of Ac.19.74 cents situated in Sy.No.249/2A of Nemalipuri made subdivision as Sy.No.249/2A to an extent of Ac.8.72 cents which is belongs to Tarimesa Rajya Lakshmi and an extent of Ac.10.72 cents in Sy.No.249/2B belongs to Narayanam Pardha Saradhi, the same was inserted by the Mandal Surveyor as per 8A/5/1397F, Dt.04.01.1988.

In the year 1997 the ancestors of Narayanam Seshu Babu along with Tarimisa Rajyalakshmi who is the sister of Pardhasaradhi jointly mortgaged the property Andhra Banl, Rajupalem. The mortgage was duly registered before Piduguralla Sub Registry as Doc. No: 1362/1997. There after the said mortgage was redeemed and a release Document was executed to that effect in Doc. No: 19/2003 before the Sub Registrar, Piduguralla.

Earlier in the year 2003 when the SC, ST & BC people have been made application to the District Collector for grant of allotment of agricultural lands. As per the instructions of the District Collector, the RDO, Guntur enquired into the matter and submitted his report vide Rc.No.2565/2003-G1, Dt.11.08.2003 of the Collector, Guntur, and the Tahsildar, Rajupalem submitted his report vide Rc.No.41/2003.A. Dt.28.07.2003 stating that an extent of Ac. 19.44 Cents in S.No: 249/2 is in favour of Tarimasa Rajyalakshmi and Narayanam Pardhasaradhi but not belongs to the Endowments Department.

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The revenue records namely Adangals, 1-B register, No.4, FMB etc., disclosed that the schedule property is Patta Land belonged to ancestors of Narayanam Seshu Babu and his ancestors are the absolute owners of property.

The land an extent of Ac.5.00 cents situated in Sy.No.249/2B of Nimalipuri is a patta land owned by the ancestors of Narayanam Seshu Babu S/o Lakshmi Narasimha Murthy, and at present Narayanam Seshu Babu is in his peaceful possession and cultivating the same, Pattadar Pass Books and title deed also issued in favor of Narayanam Seshu Babu.

In the year 2010, Muppalla Bala Krishna S/o Radha Krishna purchased the land from Narayanam Seshu Babu vide Doc.No.1103/10 of SRO., Piduguralla, now it is in his peaceful possession and cultivating the same.

But some persons trespassing into the land of Muppalla Bala Krishna situated in Sy.No.240/2B an extent of Ac.5.00 cents, and hence said Bala Krishna approached the Hon'ble High Court of AP, and filed a CRP No.5228/2012 restraining the trespassers, accordingly the Hon'ble court issued permanent injunction in favor Bala Krishna, and also issue Police Aid instructed the Supdt. of Police, Guntur Rural to hand over the land to Muppalla Bala Krishna.

Later Muppalla Bala Krishna filed a suit vide OS No.12/2012 seeking declaration of title as it is a patta land and. The Asst.Commissioner and EO., filed a OA No.12/11 before Endowment Tribunal as Muppalla Bala Krishna is an encroacher is pending.

It is further submitted that (1) Ramgisetty Satyanarayana s/o not known, Executive Officer, Devarampadu group of temples; (2) G.Subba Reddy S/o Venkata Reddy, Deputy Commissioner, Endowments Department, Guntur and (3) Punyala Subba Reddy S/o Venkata Reddy, 51 yrs, Manager of Devarampadu group of temples, Devarampadu village of Rajupalem Mandal created forged and collusive documents pertaining to the land situated in Sy.No.249/2B which affecting cancellation of sale deed unilaterally, in this connection a case in Cr.No.124/12 of Rajupalem Police Station is registered.

Earlier my predecessors enquired into the matter, they all declared that the land situated in Sy.No.249/2B of Nimalipuri village is patta land and an extent of Ac.19.44 cents is under the peaceful enjoyment of pattadars Title Holder.

Under the above stated facts and circumstances, the land situated in Sy.No.249/2B is a patta land which is ancestors of Narayanam Seshu Babu, but not belongs to the Endowments Department. This is submitted for Kind Persual.

Yours faithfully,

[Signature]
2/2/16
T.A. H. S. RAO
RAJUPALEM MANDAL,
GUNTUR DISTRICT.

Encloses as above.

Copy submitted to the Collector, Guntur for favor of information.
Copy to the Asst.Commissioner of Endowments, near Naaz Centre, Guntur.

(98) 82 10P RA 11 P16
Copy of Rc.No.2565/2003-G1, dt.11-08-2003 of the Collector & Dist.Magistrate,
Guntur addressed to the Revenue Divisional Officer, Guntur.

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Sub:-LASW - Rajupalem (M) Devarampadu (v) - S.No.250-5A
extent Acs.2-92 cents, S.No.252-2, extent Ac.9-50 cents and
S.No.249-2 extent Ac.19.44 cents for assignment of
agriculture land belongs to Kodandarama Swamy vari
Devasthanam, Devarampadu village - Reg.

Ref:-1)R/o.Maddigunta Mahalakshamma and 142 others, Thota
Saidaiiah s/o.Krishna Murthy and 18 SCs, STs and B.Cs. and
Meela Sambaiah s/o.Venkaiah and 55 others of
Devarampadu village, Rajupalem Mandal.

2)This officew L.Dis.1180/2003-G1, dt.22-04-03.

3)Letter No.41/2003-A,dt.28-07-03 of the Mandala Revenue
Officer, Rajupalem.

-000-

I invite attention to the refs. cited, wherein the Mandal Revenue
Officer, Rajupalem in the ref. 3rd cited, reported that he has exmined the village
records of Nemalipuri village, it as noticed that changes were effected on 2-10-84
as per Tahsildar, Krosur D.Dis.898/84(E), dt.18-8-84 in S.No.249-2, extent
Ac.19-44 cents in favour of Thirimisa Rajualakshmi bt not belongs to
Endowments Department. The copy of the reference 3rd cited is enclosed.

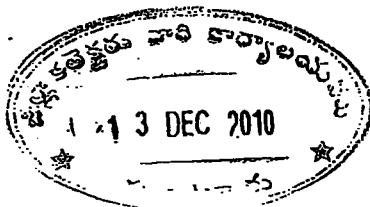
In view of the above, I request you to submit your report on the
above.immediately.

Yours faithfully,
Sd/- xx xx xx
For Collector : Guntur.

Copy to the Mandal Revenue Officer, Rajupalem for information .

//True copy//

11-2010
SUPERINTENDENT
SUPERINTENDENT
G Section
COLLECTORATE
GUNTUR



(99)

P17

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IN THE COURT OF THE VI ADDL. DISTRICT JUDGE ; GUNTUR

O.S.NO. 12/2012

Between:

Muppalla Balakrishna

.. Plaintiff

AND

1. Narayana Seshu Babu
2. Narayana Lakshmi Narasimha Murty
3. Narayanam DhanVanthari Bhardwaj
4. Tharmisa Rajyalakshmi
5. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its President. Basu Linga Reddy.
Postal address: Maheswari Diary Office. near Sujatha
Hospital. Sattenapalli Guntur Dist.
6. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Vice President. Dodda Chenna Reddy
7. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Secretary Annapareddy Anjaneyareddy..
8. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Joint Secretary Devireddy Pedireddy.
9. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Treasurer Vallela Sivasankar Reddy..
10. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Member Dodda Raghurama Reddy
Postal address: Resident of HP Gas Agency (Dealer)
Railway Station Road. Near Angel talkies. Narasaraopet.
Guntur District.
11. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Member Annapareddy Balireddy.
12. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Member Palle Sivareddy.
13. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nimalipuri. Rajapalem Mandal. Guntur District
Rep by its Member Devireddy Srinivasareddy



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14. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nemalipuri. Rajapalem Mandal. Guntur District
Rep by its Member Duggam Reddy Satyanarayana Reddy..
15. Sri Kodandaramaswamy Devalaya Abhivridhi Sangam,
Kota Nemalipuri. Rajapalem Mandal. Guntur District
Rep by its Member Basu Ramanjaneya Reddy.
16. Kandi Konda Reddy s/o Guruvareddy
r/o Kota Nemalipuri. Vill. Rajapalem Mandal. Guntur Dist
17. Katragedda Subbarao s/o Ananthaiah,
r/o Nemalipuri Vill. Rajapalem Mandal. Guntur District
18. Sri Desireddy Ramanareddy s/o Subbareddy
r/o Kota Nemalipuri vill. Rajapalem Mandal. Guntur District
19. The Commissioner, Endowments Dept.
Tilak Road, Boggula Gunta, Hyderabad
20. The Deputy Commissioner, Endowments Dept,
Kothapeta. Guntur Town. Guntur District
21. The Assistant Commissioner, Endowments Dept.
Kothapeta. Guntur Town. Guntur District
22. The Executive Officer, Sri Kodandarama and
Anjaneyaswamy Temple. Kota Nemalipuri Vill.
Rajapalem Mandal. Guntur District.
23. The District Collector. Guntur . Guntur District
24. The Revenue Divisional Officer, Guntur, Guntur District
25. The Tahsildar, Guntur Town. Guntur District
26. The Commissioner and Inspector General of Stamps &
Registration. House No.1-7-10, N.B.K.Estate, Golconda Cross Rds
Musheerabad. Hyderabad. A.P.
27. The District Registrar, Narasaraopeta. Guntur District
28. The Sub Registrar. Piduguralla, Guntur District.

PLAINT FILED ON BEHALF OF THE PLAINTIFF UNDER SECTION 26 C.P.C.

1. DESCRIPTION OF THE PLAINTIFF :

The Plaintiff is Muppalla Balakrishna s/o Radhakrishna, aged about 24 years, Resident of Nemalipuri village. Rajupalem Mandal. Guntur District.

The address of the Plaintiff for purpose of service is as stated above.

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2. DESCRIPTION OF THE DEFENDANTS :

1. The first defendant is Narayana Seshu Babu S/o. Lakshminarasimha Murty, aged 26 years, r/o Jonnalagedda Viullage, Narasaraopeta Mandal. Guntur District.
2. The defendant No. 2 is Narayana Lakshmi Narasimha Murty s/o Pardhasarathy, r/o near Ankamma temple. Old Guntur. Guntur District. Woking as Works Inspector. Panchayat Raj, Panchayatraj Office.ZP Office Campus. Nagarapalem. Guntur.
3. The defendant No. 3 is Narayanam Dhanmathari Bhardwaj s/o Lakshminarasimhamurty, aged 50 years, r/o Kota Nemalapuri village. Rajapalem Mandal. Guntur District.
4. The defendant No. 4 is Tharriisa Rajyalakshmi w/o Radhakrishna aged 60 years r/o Kota Nemalapuri village. Rajupalem Mandal. Guntur District.
5. The defendant No. 5 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nemalipuri. Rajapalem Mandal. Guntur District, rep by its President. Basu Linga Reddy. Dibba Ramireddy, aged 46 years, Postal address: Maheswari Diary Office near Sujatha Hospital. Sattenapalli Guntur Dist.
6. The defendant No.6 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nemalipuri. Rajapalem Mandal. Guntur District, rep by its Vice President. Dodda Chenna Reddy, son of Ramakotireddy. Aged 50 years.
7. The defendant No. 7 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nemalipuri. Rajapalem Mandal. Guntur District, rep by its Secretary Annapareddy Anjaneyareddy.s/o Pedaramireddy aged 60 years.
8. The defendant No. 8 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nemalipuri. Rajapalem Mandal. Guntur District, rep by its Joint Secretary Devireddi Pedireddy.s/o Pedakonda Reddy, aged 60 years.
9. The defendant No. 9 is Sri Kodandaramaswamy DEvalaya Abhivridhi Sangam, Kota Nemalipuri. Rajapalem Mandal. Guntur District, rep by its Treasurer Vallela Sivasankar Reddy.s/o Subba reddy.aged 45 years.

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10. The defendant No. 10 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nimalipuri, Rajapalem Mandal, Guntur District, rep by its Member Dodda Raghurama Reddy, s/o. Brahmareddy, aged 65 years. Postal address: Resident of HP Gas Agency (Dealer) Railway Station Road, Near Angel talkies, Narasaraopet, Guntur District.
11. The defendant No. 11 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nimalipuri, Rajapalem Mandal, Guntur District, rep by its Member Annapareddy Balireddy, a/o Papireddy, aged 37 years.
12. The defendant No. 12 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nimalipuri, Rajapalem Mandal, Guntur District, rep by its Member Palle Sivareddy s/o Lakshmireddy, 60 years.
13. The defendant No. 13 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nimalipuri, Rajapalem Mandal, Guntur District, rep by its Member Devireddy Srinivasareddy s/o Saidareddy, aged 37 years.
14. The defendant No. 14 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nimalipuri, Rajapalem Mandal, Guntur District, rep by its Member Duggam Reddy Satyanarayana Reddy, s/o Nagireddy, aged 63 years..
15. The defendant No. 15 is Sri Kodandaramaswamy Devalaya Abhivridhi Sangam, Kota Nimalipuri, Rajapalem Mandal, Guntur District, rep by its Member Basu Ramanjaneya Reddy, s/o Sivareddy, aged 30 years.
16. The defendant No. 16 is Kandi Konda Reddy s/o Guruvareddy, aged 45 years r/o Kota Nimalipuri, Vill. Rajapalem Mandal, Guntur Dist.
17. The defendant No. 17 is Katragedda Subbarao s/o Ananthiah aged 35 years r/o Nimalipuri Vill. Rajapalem Mandal, Guntur District.
18. The defendant No. 18 is Sri Desireddy Ramanareddy s/o Subbareddy, aged 36 years r/o Kota Nimalipuri vill. Rajapalem Mandal, Guntur District.
19. The defendant No. 19 is The Commissioner, Endowments Dept., Tilak Road, Boggula Gunta, Hyderabad.

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20. The defendant No 20 is The Deputy Commissioner, Endowments Dept, Kothapeta. Guntur Town. Guntur District

21. The defendant No 21 is The Assistant Commissioner, Endowments Dept., Kothapeta. Guntur Town. Guntur District

22. The defendant No. 22 is The Executive Officer, Sri Kodandarama and Anjaneyaswamy Temple. Kota Nemalapuri Vill. Rajapalem Mandal. Guntur District.

23. The defendant No 23 is The District Collector. Guntur. Guntur District

24. The defendant No 24 is The Revenue Divisional Officer, Guntur, Guntur District

25. The defendant No 25 is The Tahsildar, Rajupalem Mandal. Guntur District

26. The Commissioner and Inspector General of Stamps & Registration, Andhra Pradesh. Hyderabad.

27. The District Registrar, Prakashnagar, Narasaraopeta. Guntur District

28. The Sub Registrar. Piduguralla, Guntur District.

3. BRIEF FACTS OF THE CASE.

This Plaintiff humbly submits that the plaint schedule property which is annexed hereto is the absolute property of this plaintiff which was purchased by him under registered sale deed dated 2.3.2010 from the first defendant by paying due sale consideration of Rs 3,60,000/- which was duly received by the first defendant. Soon after the purchase the plaintiff was put to possession in the plaint schedule property. The sale deed was duly executed by the vendor

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of the plaintiff which is registered as document No. 1103/2010 before the office of Sub Registrar, Piduguralla. Subsequently, the property was mutated in the name of the plaintiff in the relevant records.

The plaint schedule property and the abetting properties are the ancestral property of the first defendant by name Narayanam Seshubabu. Originally, the plaint schedule property and the abetting properties belonged to one Narayanam Pardhasarathy who is the ancestors of the first defendant and who is the great grand father of the first defendant. The said Narayanam Pardhasarathy partitioned the property as per the partition gift dated 22.5.1985 and the first defendant has got the plaint schedule property to his share. Earlier, the revenue department i.e. 23, 24, and 25th defendants issued pattadar passbooks and the title deeds in favour of Narayanam Pardhasarathy, and subsequently the said authorities issued pattadar passbooks and title deeds in the name of the first defendant. In fact, the first defendant also paid the cist to the revenue authorities till the purchase of the plaint schedule property by this Plaintiff.

The first defendant is native of Nimalipuri village of Rajupalem Mandal, Guntur District who is now residing at Kannavari Thota, Guntur. The defendants 5 to 18 are residents of Kota Nimalipuri village which is hamlet village of Kubudapuram. The 2nd defendant is father of first defendant, 3rd defendant is younger brother of first defendant and 5th defendant is paternal aunt to 2nd defendant. The first defendant is working as Archaka in Kodandarama temple at Kota Nimalapuri village and the defendants 5 to 18 who are residents of Kota Nimalipuri village demanded the first defendant to sell the property allotted to him inclusive of the plaint schedule property in lowest price than the market value which was duly refused by the first defendant. It is only as this plaintiff offered the market value to the

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first defendant with regard to the plaint schedule property, the first defendant had accepted and accordingly executed the registered sale deed in favour of the plaintiff with regard to the plaint schedule property.

The defendants 5 to 18 are no way concerned with the plaint schedule property and having bore grudge against the first defendant and also against the plaintiff, are making attempts by causing disturbances not only to this Plaintiff but also to the first defendant with an evil mind. Now the defendants 5 to 18 and their followers, having colluded together began to blackmail this plaintiff and the first defendant with ulterior motives as the values of the property is sky rocketing. In fact even now the defendants 5 to 18 have been threatening this plaintiff that either the defendants 5 to 18 or their followers will grab their plaint schedule property and thus trying to cause loss to the plaintiff. The said acts of the defendants 5 to 18 are illegal and unlawful. The defendants 5 to 18 have no right, title whatsoever in the plaint schedule property and their illegal acts are to be curbed. The 5th defendant is a politician and on the previous occasion contested as M L A for Pedakurapadu assembly constituency. Their followers and henchmen are anti social elements and highly influential having muscle and money power. In fact, the defendants 5 to 18 have also been proclaiming that they have got rights over the plaint schedule property and trying to interfere with the peaceful possession and enjoyment of the plaint schedule property.

While so, the defendants 19,20,21 and 22 who have been representing the Endowments Department have been making hectic efforts to claim the plaint schedule property as if it belonged to the Endowments Dept and have been making all their efforts to create title over the plaint schedule property and also making attempts to take possession of the plaint schedule property by fabricating and concocting number of fictitious documents.

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This plaintiff further submits that the defendants 23,24,25 who are the revenue authorities having categorically stated before the Hon'ble High Court of Andhra Pradesh, in W.P. No. 14477/2010 that the plaint schedule property does not belong to Endowments department and the plaint schedule property is a private patta land fails to heed to the request of the plaintiff in providing pattadar passbook and title passbooks in favour of the Plaintiff. In fact the defendants 23,24,25 have also stated that the plaint schedule property and the abetting properties belonged to the ancestors of Narayanam Seshubabu who is no other than the first defendant in this suit.

While things stood thus, at the instance of defendants 5 to 18 the defendant No. 27 unilaterally cancelled the registered sale deed obtaining by this Plaintiff from its vendor as mentioned supra. The said acts were challenged by this Plaintiff in a Writ petition before the Hon'ble High Court of Andhra Pradesh in W.P.No.14814/2011 and the Hon'ble High Court ordered status quo with regard to the petitioner's land i.e. the land of the plaintiff and the matter is pending. In fact the defendant No. 27 cannot cancel the registered sale deed belonged to this plaintiff with regard to the plaint schedule property unilaterally even without giving any notice to the plaintiff. It amounts to illegal capricious and unlawful.

At the intervention of the defendants 5 to 18 the local police have also made attempts to forcibly evict the plaintiff from the plaint schedule property as against which the plaintiff approached the Hon'ble High Court of Andhra Pradesh in W.P. 18712/2011 and sought for appropriate direction by filing writ of mandamus declaring the actions of the police are illegal, arbitrary etc. The Hon'ble High Court of Andhra Pradesh directed the police not to interfere with the possession of the plaintiff over the plaint schedule property in survey No. 249/2 B of Nimalipura village, Rajupalem Mandal, Guntur District and the said writ petition is still pending.

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This plaintiff further submits that on the threats made by the defendants 5 to 18, the plaintiff was also constrained to file a suit against the defendants 5 to 18 and others for permanent injunction restraining them from in any way interfering with his peaceful possession and enjoyment of the plaint schedule property by the plaintiff. In fact an Interlocutory application I.A.No.863/2010 was also filed in the above suit praying for temporary injunction which was duly allowed.

This plaintiff further submits that the defendants 19 to 22 who are representing the Endowments Department have also filed an eviction petition before the Hon'ble Endowments Tribunal in O.A.12/2011. This plaintiff is agitating the same by filing his counter and the matter is coming for enquiry. It is also a fact that Dodda Chinnareddy and Annapureddy Anjaneyareddy also filed a suit against this plaintiff and his vendor Narayanam Seshubabu in O.S. 935/2010 on the file of the IV Addl Senior Civil Judge, Guntur for permanent injunction and other reliefs and in the said suit no interim orders were passed and the suit is pending.

This plaintiff further submits that after obtaining the registered sale deed as mentioned supra from the first defendant, the plaintiff learnt that some mistakes were made in the said registered sale deed and immediately on approaching the first defendant attempted to get the mistakes corrected by obtaining a rectification deed. But as the matter is pending before the High Court of Andhra Pradesh with regard to the cancellation of the original sale deed, it could not be made, at this juncture the plaintiff is submitting the schedule of the original sale deed and the plaintiff may be permitted to amend the schedule soon after obtaining the rectification to that effect. In fact the plaintiff also got issued a legal notice under Sec 80 C P C to all the defendants

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on 20.6.2011 calling upon them not to institute frivolous litigation against the plaintiff and also to issue pattadar passbooks and title passbooks in favour of the plaintiff by mutating.

This Plaintiff further submits that admittedly the plaint schedule property is a private patta land as admitted by the revenue authorities and admittedly the Endowments Department uphold that the plaintiff is in possession of the property and filed eviction petition against the plaintiff and the defendants 5 to 18 are also suffering an order in I.A 683/2010 wherein an temporary injunction was granted by the Hon'ble 5th Addl.Sr.Civil Judge, Guntur. Thus the plaintiff is absolute owner by virtue of registered sale deed and possession even as admitted by the defendants. Since the defendants are questioning the title of the plaintiff by filing various cases against the plaintiff. The plaintiff is constrained to file this suit against the defendants for declaration that the plaintiff is the absolute owner to the plaint schedule property and for consequential permanent injunction restraining the defendants, its men from in any way interfering with the peaceful possession and enjoyment of the plaint schedule property by the plaintiff. No relief is claimed against the first defendant and he is only made as a formal party as it is necessary.

This plaintiff humbly submit that the unilateral action of 20th respondent/defendant executing cancellation deed mentioned supra in favour 22nd respondent/defendant is illegal, capricious, and arbitrary. This plaintiff further submit that the 20th respondent/defendant cannot execute such a cancellation deed in favour of 22nd respondent/defendant and in view of the existence of the cancellation deed mentioned supra the plaintiff's title deed bearing doc. No. 1103/2010 dt. 2.3.2010 is being effected. Hence the relief of cancellation of cancellation deed executed by 20th defendant in favour of 22nd defendant, consequently for restoration of plaintiff's registered sale deed

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bearing Doc. No.1103/10 dt.2.3.2010 is very much required. Hence the plaintiff is constrained to file this suit for cancellation of cancellation deed executed by 20th defendant in favour of 22nd defendant, consequently for restoration of plaintiff's registered sale deed bearing Doc. No.1103/10 dt.2.3.2010: (Added as per the orders in I.A.NO.1141/2012 DT.).

This plaintiff humbly submit that at the time of obtaining registered sale deed by the plaintiff from his vendor there were some mistakes cropped up with regard to boundaries in schedule. After coming to know the said mistakes the plaintiff made attempts to obtain a regd. rectification deed from his vendor i.e. 1st respondent/defendant, for which 1st respondent/defendant too accepted and accordingly this plaintiff along with 1st respondent/defendant filed the rectification deed before the 28th respondent/defendant who had given pending number to the said document as No.2/2011 and ultimately refused to register the said rectification deed on 26.2.2011 by mentioning the grounds for refusal. Immediately the plaintiff approached the Hon'ble High Court of A.P. by filing writ petition in the nature of writ mandamus in W.P. No.7223/2011 directing the 28th defendant herein to receive the documents and register the same. The Hon'ble High Court of A.P. dismissed the said writ petition as it has become infructious on 8.2.2012. The said rectification deed is very much required for the plaintiff to substantiate his title with perfect boundaries. Hence the relief for mandatory injunction directing the 28th defendant to receive the rectification deed and to register the same. Hence the plaintiff is also constrained to file this suit for consequential mandatory injunction directing the 28th defendant to receive the rectification deed and to register the same. Hence this suit.(Added as per the orders in I.A.NO. 1141/2012 DT.).

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4. CAUSE OF ACTION:

The cause of action for this suit arose when the Plaintiff has purchased the suit schedule property from the first defendant and possession of the same, on various dates when the defendants were making illegal attempts to grab the property of the plaintiff by adopting illegal methods, on various dates when the plaintiff has approached various authorities and courts and got favorable orders in his favour, and finally about two weeks back when the defendants have attempted to claim the title of the plaint schedule property by illegal means, at Nimalipuri village, Rajupalem Mandal, Guntur District within the jurisdiction of this Hon'ble Court.

5. VALUATION:

This being a suit filed by the Plaintiff for declaration of title of the plaint schedule property as per sale deed executed in favour of the plaintiff by the first defendant dated 2-6-2010 vide document No. 1103/2010 for a consideration of Rs, on which a court fee of Rs /- is paid on Syndicate Bank, District Court Branch, Guntur vide challan enclosed. under Section of A P Court Fee and Suits Valuation Act.

This also being a suit for cancellation of cancellation deed executed by 20th defendant in favour of 22nd defendant, consequently for restoration of plaintiff's registered sale deed bearing Doc. No. 1103/10 dt. 2.3.2010, the plaintiff values the same at Rs. 3,60,000/- on which a court fee of Rs. 6026/- is paid herewith U/s. 37 of APCF & SV ACT.

(Added as per the order in I.A. No. 1141/2012 dt. 17.12.12)

This also being a suit for mandatory injunction directing the 28th defendant to receive the rectification deed and to register the same, the plaintiff values the same at Rs. 15,000/- on which a court fee of Rs. 1086/-

is paid herewith U/s. 26(c) of APCF AND SV ACT.

(Added as per the order in I.A. No. 1141/2012 dt. 17.12.12)

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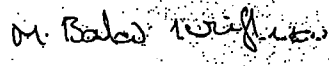
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6. Value for purposes of court fee and jurisdiction is the same as stated above.

Hence, the Plaintiff prays that the Hon'ble Court may be pleased to pass a decree in favour of the Plaintiff and against the defendants:

- a) declaring that the Plaintiff is the lawful and absolute owner in possession of the plaint schedule property;
- b) for cancellation of cancellation deed dt. 29.3.2011 registered as Doc. No.1955/2011 on the file of 28th defendant executed by 20th defendant in favour of 22nd defendant, consequently for restoration of plaintiff's registered sale deed bearing No.1103/2010 dt. 2.3.2010. (Added as per the orders in I.A.NO.1141/2012 DT. 17.12.12).
- c) for mandatory injunction directing the 28th defendant to receive the rectification deed and to register the same. (Added as per the orders in I.A.NO.1141/2012 DT. 17.12.12).
- d) consequently to grant an order of permanent injunction restraining the defendants, their men, agents or anyone claiming through them from in any way interfering with the peaceful possession and enjoyment of the plaint schedule property by the Plaintiff;
- e) for costs of this suit; and
- f) to grant such other relief /reliefs as the Hon'ble Court may deem fit and proper in the circumstances of the case.

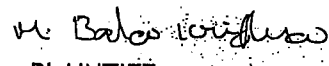

ADVOCATE FOR PLAINTIFF


PLAINTIFF

I, do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

GUNTUR;

DATE: 12.2011

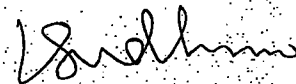

PLAINTIFF

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LIST OF DOCUMENTS

1. 2.3.2010 Certified copy of the registered document executed by the Defendant No.1 in favour of the Plaintiff. Doc.No. 1103/2010
- 2/ 22.5.1985 Xerox copy of the Partition gist of defendant No.1
3. 21.10.1998 Pattadar passbookx and title deeds G.1229 No.148168 issued by MRO, Rajupalem in favour of Narayanam Seshu Babu
4. Counter affidavit filed by respondents 3 to 5 in W.P.No. 17477/2010
5. 12.6.2011 Order in W.P.M.P.No. 17816/2011 in W P No. 14814/2011 of Hon'ble High Court of A.,P.
6. 5.7.2011 - Order in W P No.18712/2011 of Hon'ble High Court of Andhra Pradesh.
7. Copy of O.A.No. 12/2010 on the file of A.P. Endowments Tribunal. Hyderabad.
8. Copy of the order passed in I.A. 683/2010 in O.S.No.880/2010
9. Copy of Memo No. DEE/O/MCL/AEC/Com /D.875/11 dt 8.1.2011 issued by the Divisional Elec. Engineer, Operation Macherla



ADVOCATE FOR THE PLAINTIFF.

(AMENDED AS PER THE ORDERS IN I.A.NO.1141/2012 DT.)

R2 received from
 Person in charge
 of record & valuation
 X - MMR 11/11/13
 Activated & A2 A3
 Received notice and
 copy of G.O. for 19, 20 to 21, 23 1028
 21/11/13
 Received copy of
 plaint
 C.C. MADE READY BY D10
 12/11/13

Received notice &
 for filing of suit within
 CH. Law
 21/11/13
 at 11:30 AM

Received notice
 for by suit
 P.V.
 D. 21/11/13

COPYIST

IN THE COURT OF THE VI ADDL. DISTRICT JUDGE ; GUNTUR

O.S.NO. 12/2012

Between:

Muppalla Balakrishna

.. Plaintiff

AND

Narayana Seshu Babu and others

...Defendants

PLAINT SCHEDULE FILED ON BEHALF OF PLAINTIFF

Guntur District, Narasaraopet revenue district, Piduguralla sub District,
Nemalipuri village limits, Nemalipuri village. S.No. 249/2B an extent of Ac
5.00 cents of wet land bounded by:

East - High way road

West - property belonged to Tamirisa Rajyalakshmi

North - Devarampadu road and High way road

South - Property belonged to Gutta Brahmeswara Rao and others

Within the above boundaries an extent of Ac.5.00 cents of wet land.


ADVOCATE FOR PLAINTIFF


PLAINTIFF

I do hereby declare that the facts stated above are true and correct to
the best of my knowledge, belief and information.

Guntur

DT: 12.2011


PLAINTIFF

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IN THE COURT OF THE VI ADDL. DISTRICT
JUDGE:: GUNTUR

O.S.NO. 12 OF 2012

CFR-173/21-1-13

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NEAT COPY

PLAINT FILED ON BEHALF OF THE
PLAINTIFF U/S. 26 C.P.C.

DISTRICT COURT, GUNTUR

C.A.No.: 6509/15
Date of Filing of Application: 7/14/15
Date when the Stamps Called for: 11/9/15
Date of Filing of Stamps: 11/9/15
Court fee Stamps Rs. 32 Paid Rs. 32.
Date when Made Ready: 10/4/15
Date when delivered: 16/4/20

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21/11/13

S. Ramana Rao
SUPERINTENDENT



FILED BY:
V.S. MURTHY,
ADVOCATE,
GUNTUR.

XEROX PREPARED BY

XEROX OPERATOR
DL COURT GUNTUR

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IN THE COURT OF THE DISTRICT JUDGE:: GUNTUR

O.S.NO. 12 /2011

CFR. 19872/1

is deposited on

27.1.2011

27/1/11

Between:

Narayanam Seshu Babu

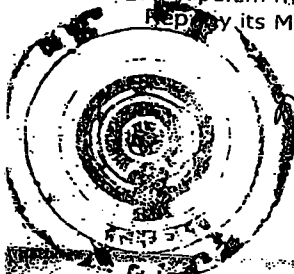
...Plaintiff

And

01. Narayanam Lakshmi Narasimha Murthy.
02. Narayanam Dhanvanthari.
03. Sri Kodandarama Swamy & Anjaneya Temple,
Rep. by its Executive officer,
Kota Nimalipuri.
04. Assistant Commissioner,
Endowments, Guntur.
05. Commissioner, Endowments, Hyderabad.
06. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nimalipuri,
Rajupalem mandal, Guntur District,
Rep. by its President, Basu Linga Reddy.
07. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nimalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Vice President Dadda Chenna Reddy.
08. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nimalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Secretary Annapareddy Anjaneya Reddy.
09. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nimalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Joint Secretary
Devireddy Peddi Reddy.
10. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nimalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Treasurer, Vallala Siva Sankara Reddy.
11. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nimalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Member Dadda Raghu Rami Reddy.
12. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nimalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Member Annapareddy Bali Reddy.

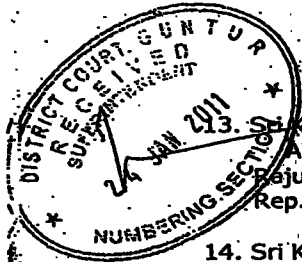
C.S. NAME REDDY

REANIRAS



N. Seshu Babu

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Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nermalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Member Palle Siva Reddy.

14. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nermalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Member Desireddy Srinivasa Reddy.

15. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nermalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Member Duggempudi Satyanarayana Reddy.

16. Sri Kondarama Swamy Devalaya
Abhivrudhi Sangham, Kota Nermalipuri,
Rajupalem mandal, Guntur District,
Rep. by its Member Basu Ramanjaneya Reddy.

...Defendants

PLAINT FILED ON BEHALF OF THE PLAINTIFF U/S. 26C.P.C.

1. DESCRIPTION OF THE PLAINTIFF:

The plaintiff is Narayanam Seshu Babu, Son of Lakshmi Narasimha Murthy, Hindu, aged about 26 years, Purohit and cultivation, resident of Jonnalagadda village, Narsaraopet mandal, Guntur District, Narsaraopet DMC.

Address for service is same as above.

2. DESCRIPTION OF THE DEFENDANTS:

The 1st defendant is Narayanam Lakshmi Narasimha Murthy, Son of Seshacharyulu (late), Hindu, aged about 55 years, employee, resident of Near Ankamma temple, Brahmana street, Old Guntur, Guntur presently working at Works Inspector, Panchayat Raj Department, ZP. Office compound, Guntur, Guntur DMC.

The 2nd defendant is Narayanam Dhanvanthari, Son of Lakshmi Narasimha Murthy, Hindu, aged about 23 years, occupation not known,

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resident of Kota Nermalipuri village, Rajupalem mandal, Guntur District.
Presently residing at near Ankamma temple, Brahmana street, Old Guntur,
Guntur, Guntur DMC.

The 3rd defendant is Sri Kodaridarama Swamy & Anjaneya temple, rep.
by its Executive officer, Devarampadu group of temples, Opposite to State
Bank of India, Near Pappula Mill bazaar, Piduguchilla post and mandal, Guntur
District, Piduguralla DMC.

The 4th defendant is Assistant Commissioner, Engineering
Department, Opposite to Guntur ground, Kothapet, Guntur, Guntur DMC.

The 5th defendant is
Boggulakunta, Abids, Hyderabad.

The 6th defendant is Sri Kodaridarama Swamy Devalay Abhivrudhi
Sangham, Kota Nermalipuri, Rajupalem mandal, Guntur District, Rep. by its
President, Basu Linga Reddy, Son of Sri Kodaridarama Reddy, Hindu, aged about 45
years, business, resident of Kota Nermalipuri village, Rajupalem mandal,
Guntur District. Sattenapalli DMC.

The 7th defendant is Sri Kodaridarama Swamy Devalay Abhivrudhi
Sangham, Kota Nermalipuri, Rajupalem mandal, Guntur District, Rep. by its
Vice President, Dadda Chenna Reddy, Son of Venkateswara Reddy, Hindu,
aged about 40 years, cultivation, resident of Kota Nermalipuri village,
Rajupalem mandal, Guntur District. Sattenapalli DMC.

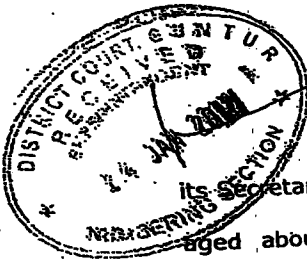
The 8th defendant is Sri Kodaridarama Swamy Devalay Abhivrudhi
Sangham, Kota Nermalipuri, Rajupalem mandal, Guntur District, Rep. by
Sri Kodaridarama Swamy Devalay Abhivrudhi

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R. Seshu Reddy

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GUNTUR DISTRICT
11/7/19



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its Secretary, Annapureddy Anjaneya Reddy, Son of Rama Koti Reddy, Hindu, aged about 42 years, cultivation, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District. Sattenapalli DMC.

The 9th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its Joint Secretary, Devireddy Peddi Reddy, Son of Peda Konda Reddy, Hindu, aged about 60 years, cultivation, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

The 10th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its Treasurer, Vallela Siva Sankara Reddy, Son of Subba Reddy, Hindu, aged about 43 years, cultivation, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

The 11th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its Member, Dodda Raghu Rami Reddy, Son of Brahma Reddy, Hindu, aged about 62 years, business, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

The 12th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its Member, Annapureddy Bali Reddy, Son of Popi Reddy, Hindu, aged about 40 years, employee, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

The 13th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its

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Member, Palte Siva Reddy, Son of Lakshma Reddy, Hindu, aged about 35 years, cultivation, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

The 14th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its Member, Desireddy Srinivasa Reddy, Son of Saida Reddy, Hindu, aged about 45 years, cultivation, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

The 15th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its Member, Duggempudi Satyanarayana Reddy, Son of Saida Reddy, Hindu, aged about 62 years, cultivation, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

The 16th defendant is Sri Kondarama Swamy Devalay Abhivrudhi Sangham, Kota Nimalipuri, Rajupalem mandal, Guntur District, Rep. by its Member, Basu Ramanjaneya Reddy, Son of Siva Reddy, Hindu, aged about 35 years, cultivation, resident of Kota Nimalipuri village, Rajupalem mandal, Guntur District, Sattenapalli DMC.

Address for service is same as above.

3. BRIEF FACTS OF THE CASE:

- a) The plaintiff is native of Kota Nimalipuri village, Rajupalem mandal, Guntur District and presently residing at Jonnalagadda village, Narsaraopet rural mandal, Guntur District. The plaintiff's avocation is pouruhitham and also agriculture.

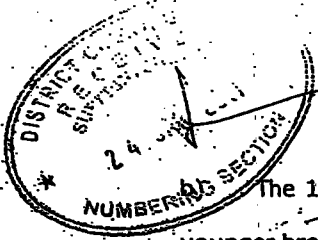


Seshu Babu

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G. R. LAKSHMI REDDY

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The 1st defendant is the father of the plaintiff, the 2nd defendant is the younger brother of the plaintiff through 2nd wife of father of the plaintiff. The defendants 3. to 5 belonged to Endowments Department while defendants 6 to 16 are self styling as committee members of Sri Kondandarama swamy Devalaya Abhivrudhi Sangam, Kota Nimalpuri, Rajupalem mandal, Guntur District.

c) The plaint schedule property which is consisting of item-1 and item-2 was originally belonged to the plaintiff's paternal grand father by name NARAYANAM PARDHA SARADHI. The plaint schedule property and other properties were originally being enjoyed by the ancestors of Narayanam Pardha Saradhi the paternal grand father of this plaintiff since long back. The plaint schedule property and other properties were partitioned among the plaintiff, 1st defendant and paternal grand father of the plaintiff by name Narayanam Pardha Saradhi on 22.5.1985 and the said partition was reduced into writing by way of execution of partition list among the members of the family. The copy of the partition list which was executed among the family members is filed herewith for the perusal of this Hon'ble Court.

d) As per the said partition list, the respective members of the joint family who have got respective shares have acquired revenue pass books and title deed pass books from the revenue authorities and the respective members have been enjoying their respective shares in their own right to the knowledge of one and all inclusive of the defendants. Though the paternal grand father of the plaintiff Narayanam Pardha Saradhi was representing this plaintiff as guardian to the plaintiff at the time of execution of the above mentioned partition list, on attaining the majority, the plaintiff took possession of the property allotted to him in the said partition list and has been enjoying the same in his own right.



N. Seshu Babu

N. SESHU BABU
N. SESHU BABU

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(7)

e) While so, the paternal grand-father of the plaintiff by name Narayanam Pardha Saradhi died intestate in the month of May, 2007. Thus, on the demise of the paternal grand father of the plaintiff Narayanam Paradha Saradhi who died intestate the property fell to the share of paternal grand father which is clearly described as item-1 and item-2 in the plaint schedule is devolved on the legal heirs of Narayanam Pardha saradhi. Accordingly this plaintiff on several occasions requested the defendants 1 and 2 to cooperate in partitioning the plaint schedule property into three equal shares which is of no avail.

f) While so, the defendants 3, 4 and 5 who have been representing the Endowments Department have been making hectic efforts to claim the plaint schedule property as if it belonged to endowments have been making all their efforts to create title over the item-1 and 2 of the plaint schedule property and also making all their attempts to take possession of the item-1 and 2 of the plaint schedule property by fabricating and concocting number of fictitious documents.

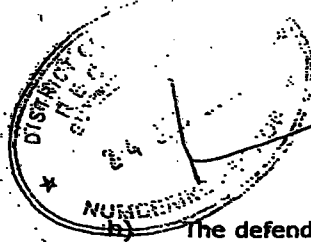
g) The defendants 6 to 16 who have been self styling as if they are part and parcel of Sri Kodanda Rama Swamy Devalaya Abhivrudhi Sangam are also making all their illegal and invalid efforts to clutch at the item-1 and 2 of the plaint schedule property by bringing into some fabricated documents and also by bringing into some cock and bull stories. Since the defendants 1 and 2 are not cooperating with the plaintiff in partitioning the item-1, 2 and of plaint schedule property among the plaintiff and defendants 1 and 2, the plaintiff is constrained to file the suit for partition of the item-1 to 2 of the plaint schedule property into three equal shares and for allotment of one such share as per good and bad quality to the plaintiff.



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Seshu Balu

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b) The defendants 3 to 16 have been making all their efforts to claim the property as if it belonged to endowments and also as if it belongs to Sri Kodanda Rama Swamy Devalaya Abhiyudhi Sangam. This plaintiff submits that neither the defendants 3 to 5 nor the defendants 6 to 16 are having title over the item-1 and 2 of the plaint schedule property and possession over the same and the claims which are being made by the defendants 3 to 16 are illegal, invalid and not maintainable under law. On the other hand, the item-1 and 2 of plaint schedule property is absolute property belonged to the family of the plaintiff which was already partitioned among the plaintiff, 1st defendant and paternal grand father and as such the item-1 and 2 of the plaint schedule property is to be partitioned as per Hindu Succession Act and accordingly the plaintiff is entitled to 1/3rd of the plaint schedule property and for possession of the same.

i) Hence the plaintiff is constrained to file this suit for declaration that item-1 and 2 plaint schedule property is the absolute property belonged to late Narayanam Pardha Saradhi which is devolved on the plaintiff and the defendants 1 and 2 as per Hindu Succession Act on the demise of the said Narayanam Pardha saradhi, for partition of the item-1 and 2 of the plaint schedule property into three equal shares and to allot one such share to the plaintiff by mets and bounds as per good and bad quality and for possession of the same, for consequential permanent injunction restraining defendants 3 to 16 from in anyway interfering with the peaceful possession and enjoyment of the item-1 and 2 of the plaint schedule property, for costs and other reliefs. Hence the suit.

CAUSE OF ACTION:

Cause of action for the suit arose when item-1 and 2 of the plaint schedule property was originally belonged to the plaintiff's paternal grand

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M. NAME RADE

BEAUTY

M. Jeshu Babu

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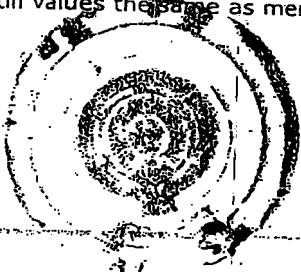
father, when the same was being enjoyed by the ancestors of the plaintiff since long back, when the plaint schedule property and other properties were partitioned among the plaintiff, 1st defendant and paternal grand father of the plaintiff, when on 22.5.1985 the said partition was reduced into writing by way of execution of partition list, when as per the partition, the respective members of the joint family acquired revenue pass books and title deed pass books, when in the month of May, 2007 the paternal grand father of the plaintiff died intestate, when after demise of paternal grand father of the plaintiff, the plaintiff on several occasions requested the 1 and 2 defendants to cooperate in partitioning the plaint schedule property into three equal shares, when the defendants 3 to 5 who have been representing the endowments department have been making hectic efforts to claim the item-1 and 2 of the plaint schedule property and also making all their attempts to take possession of the item-1 and 2 of the plaint schedule property by fabricating and concocting number of fictitious documents, when defendants 6 to 16 who have been self styling as if they are part and parcel of Sri Kodanda Rama Swamy Devalaya Abhivrudhi Sangham also making all their illegal and invalid efforts to clutch at the item-1 and 2 of the plaint schedule property by bringing into some fabricated documents, where the property is situated i.e. at Nimalipuri village, Rajupalem mandal, Guntur District, where the cause of action took place all within the jurisdiction of this Hon'ble Court.

5. PARTICULARS OF VALUATION:

This being a suit for declaration that item-1 and 2 plaint schedule property is the absolute property belonged to late Narayanam Pardha Saradhi which is devolved on the plaintiff and the defendants 1 and 2 as per Hindu Succession Act on the demise of the said Narayanam Pardha saradhi, the plaintiff values the same as mentioned hereunder:

...10..

N. Seshu Balu



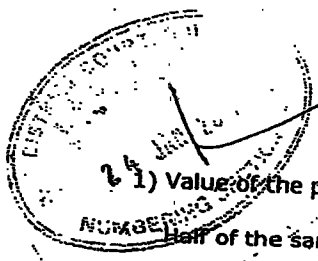
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1) Value of the property is at Rs. ~~Item 3 = 1,50,000/-~~ ^{Advocate} ~~14,50,000/-~~ ^{Advocate} ~~15,00,000/-~~ ^{Advocate} ~~27,00,000/-~~ ^{Advocate}

Half of the same on it as Rs. 25,000 + 14,50,000. ^{Advocate}
On which a court fee of Rs. 2,946 + 16,721 = 19,667/- ^{Advocate} is paid herewith U/s. 24(b) of APCF & SV ACT.

This also being a suit for partition of the item-1 and 2 of the plaint schedule property into three equal shares and to allot one such share to the plaintiff by metes and bounds as per good and bad quality ^{Advocate} and peaceful possession of the same, the plaintiff values the same at Rs. 7,50,000/- ^{Advocate} 3/4 Value of Plaintiff Share of Rs. 10,03,333/- out of Value of Schedule Property Rs. 30,09,000/- On which a court fee of Rs. 2,00/- is paid herewith U/s. 24(b) of APCF & SV ACT. ^{Advocate}

This also being a suit for consequential permanent injunction restraining the defendants 3 to 16 from in anyway interfering with the peaceful possession and enjoyment of the item-1 and 2 of the plaint schedule property, the plaintiff values the same as NIL as the relief is a consequential one.

Thus, a total court fee of Rs. 19,667/- is paid. Court fee is paid at Syndicate Bank, District court branch, Guntur dt.

6. Value for the purpose of the jurisdiction is same as above i.e. Rs. ~~15,00,000/-~~ ^{Advocate} 23,32,500/-

7. The plaintiff prays that the Hon'ble Court may be pleased to pass a decree in favour of the plaintiff and against the defendants:



For declaration that item-1 and 2 plaint schedule property is the absolute property belonged to late Narayanam Pardha Saradhi which is devolved on the plaintiff and the defendants 1 and 2 as per Hindu Succession Act on the demise of the said Narayanam Pardha saradhi.

N. Seshu Babu

MADE READY

REMARKS

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#drink

- b) For partition of the Item-1 and 2 of the plaint schedule property into three equal shares and to allot one such share to the plaintiff by metes and bounds as per good and bad quality and for possession of the same. *or 1/3rd share to each of 3 defendants*
- c) For consequential permanent injunction restraining the defendants 3 to 16 from in anyway interfering with the peaceful possession and enjoyment of the Item-1 and 2 of the plaint schedule property. *1 a/c*
- d) For costs: and
- e) For such other reliefs as are deemed fit and proper.

[Signature]
FOR PLAINTIFF

Dr. Seher Bhatia
PLAINTIFF

Guntur,

Dr. Stephen Baker
PLAINTIFF

LIST OF DOCUMENTS:

- 1) Partition list dt. 22.5.1985 executed among the family members of the plaintiff. (Amount due if any payable will be paid at the time of board)
- 2) Copy of the pattadar pass book and title deed pass book.

documentary - two

only. Am

27/1/11

ADVOCATE FOR PLAINTIFF

1. 姓名: 张金明 性别: 男

SECRET



113 (126)
132
A2
IN THE COURT OF THE DISTRICT JUDGE:: GUNTUR

O.S.NO. 12 /2011

Between:

Narayanam Seshu Babu

...Plaintiff

And

Narayanam Lakshmi Narasimha Murthy & others ...Defendants

PLAINT SCHEDULE FILED ON BEHALF OF THE PLAINTIFF

ITEM-1:

Guntur District, Narsaraopet revenue district, Piduguralla Sub District, Nemalipuri village limits, Nemalipuri village, S. No. 249/1C an extent of Ac.0.30 cents of wet land is bounded by:

- East : Remaining land belongs to plaintiff family.
- South : Property belongs to Gutta Brahmeswara Rao and others.
- West : Property belongs to Tamirisa Rajyalakshmi.
- North : Remaining land belongs to the plaintiff family.

Within the above boundaries an extent of Ac.0.30 cents of wet land.

ITEM-2:

Guntur District, Narsaraopet revenue district, Piduguralla Sub District, Nemalipuri village limits, Nemalipuri village, S. No. 249/2B an extent of Ac.5.72 cents of wet land is bounded by:

- East : Property belongs to Muppalla Bala Krishna.
- South : Property belongs to Gutta Brahmeswara Rao and others.
- West : Property belongs to Tamirisa Rajya Lakshmi.
- North: Devarampadu road and High way road.

Within the above boundaries an extent of Ac.5.72 cents of wet land.

ADVOCATE FOR PLAINTIFF

PLAINTIFF

I do hereby declare that the facts stated above are true to the best of my knowledge, belief and information.

Guntur,

Date: 24-1-11



PLAINTIFF

C.S. MADE READY

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OUT OF ORDER

DECLARATION AND PARTITION

O.S. 12/111
Sri L.V.S. MURTHY

Value of the suit, for the purpose of jurisdiction is Rs.23,32,500/-

Total C.F., paid is Rs.19,872/-

Submitted
for
27/1/11

Registered
27/1/11

జిల్లా కోర్టు, గుంటూరు.
O.S. నంబర్ 12/111
ప్రాంత నంబర్ 233/111

ప్రతిపక్ష అరీ నేను
కాయదా / తది 28-2-11
జిల్లా జడ్జి, గుంటూరు 27/1/11

MADE OVER TO ☒ ADDL. DISTRICT
JUDGE, GUNTUR FOR DISPOSAL
ACCORDING TO LAW.

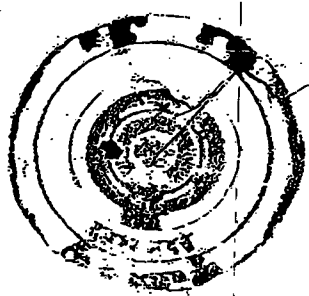
DISTRICT JUDGE, GUNTUR

27/1/11

no Caveats pending

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ALL MADE READY
by K.C. Prasad
K.M. Prasad

(128) 110 F1b #345 P19
IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
THURSDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND TWELVE

:PRESENT:

THE HON'BLE SRI JUSTICE G.KRISHNA MOHAN REDDY
CIVIL REVISION PETITION No:5228 of 2012

(Petition under Article 227 of the Constitution of India against the order dated 03-10-2012 in CMA.No.16 of 2012 on the file of the court of the III Additional District Judge, Guntur, preferred against the order dated 14-03-2012 in I.A.No.683/2010 in O.S.No.880 of 2010 on the file of the Court of the V ADDITIONAL SENIOR CIVIL JUDGE, GUNTUR)

Between:

Mupalla Bala Krishna, S/o Radhakrishna

..... APPELLANT/RESPONDENT

AND

- 1 Basu Linga Reddy, S/o. Seetharami Reddy
- 2 Valla Eswar Reddy, S/o. Subba Reddy
- 3 Dodda Chenna Reddy, S/o. Venkateswar Reddy
- 4 Annapureddy Anjaneya Reddy, S/o. Ramakoti Reddy
- 5 Devireddy Peddi Reddy, S/o. Peda Konda Reddy
- 6 Vallela Siva Sankar Reddy, S/o. Subba Reddy
- 7 Dodda Papi Reddy, S/o. Bramha Reddy
- 8 Annapu Reddy Bali Reddy, S/o. Papi Reddy
- 9 Palle Siva Reddy, S/o. Lakshma Reddy
- 10 Devisetty Srinivasa Reddy, S/o. Saida Reddy
- 11 Duggem Pudi Satyanarayana Reddy, S/o. Nagi Reddy
- 12 Basu Ramanjaneya Reddy, S/o. Siva Reddy
- 13 Daggula Srinivasa Reddy, S/o. Rami Reddy
- 14 Basu Subba Reddy, S/o. Seetha Rami Reddy
- 15 Basu Venkateswara Reddy, S/o. Subba Reddy
- 16 Dodda papi Reddy, S/o. Venkateswara Reddy
- 17 Surasani Pulla Reddy, S/o. Ramana Reddy
- 18 Gade Siva Sankar Reddy, S/o. Papi Reddy
- 19 Kesara Bhupal Reddy, S/o. Venkata Reddy
- 20 Kommasani Ramana Reddy, S/o. Pitchi Reddy
- 21 Dontireddy Anjaneya Reddy, S/o. Veera Reddy
- 22 Annapureddy Ramana Reddy, S/o. Subba Reddy
- 23 Narayanam Seshu Babu, S/o. Lakshmi Narasimha Murthy

..... APPELLANTS/RESPONDENTS

CRPMP No.6897/2012::Petition under section 151 of CPC praying that in the circumstances stated in the affidavit filed therewith, the High Court will be pleased to stay the operation of order dated. 03/10/2012 passed by the Learned III Additional District Judge, Guntur in CMA No. 16 of 2012.

Counsel for the Petitioner :SRI V. V. ANIL KUMAR

Counsel for the Respondent Nos. 1 to 21 (Caveator): M/s. K. HEMA LATHA

Counsel for the Respondent No.23 :SRI SRINU BABU NAIDU

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The Court made the following Order:

This civil revision petition is filed against order dated 03.10.2012 passed in C.M.A. No.16 of 2012 on the file of the Court of III Additional District Judge, Guntur. The CMA was preferred by the respondents herein against order dated 14.3.2012 in I.A.No.683 of 2010 in O.S.No.880 of 2010 (I.A) on the file of the Court of V Additional Senior Civil Judge, Guntur.

The petitioner herein is also the petitioner in the I.A. and plaintiff in the suit and the respondents herein are also the respondents in the I.A. and defendants in the suit. For convenience sake, I refer the parties as they are arrayed in the suit.

The I.A. was filed by the plaintiff under Order XXXIX Rules 1 and 2 and Section 151 of Code of Civil Procedure, 1908 (CPC) praying the trial Court to grant temporary injunction restraining the defendants and their men from trespassing into and in any way interfering with the plaintiff's peaceful possession and enjoyment of the plaint schedule property.

The claim of the plaintiff as arrayed is as follows. The plaint schedule property is the ancestral property of the 23rd respondent, namely, Narayanam Seshu Babu. Originally, the land belonged to Narayannam Sessa Charyulu, the great grandfather of the 23rd respondent, who partitioned the property vide the partition deed dated 22.5.1985, wherein the 23rd respondent was allotted ACs.5.00 of land in D.No.249/2B. Accordingly he was given pattadar pass books and title deeds (PPBs/TDs) by the Revenue authorities for the share. Consequently PPBs/TDs were also issued in the name of 23rd respondent. Subsequently the petitioner himself purchased the same property for a consideration of Rs.3,70,000/- and ever since he has been in possession and enjoyment of the property. According to him, the respondents 1 to 22 have been trying to interfere with his peaceful possession and enjoyment of the property illegally.

(130) 117 136

The respondents 3 to 6, 9 to 12, 15, 17, 19 and 22 filed their counters whereas the other respondents did not choose to do so. The contesting respondents claim that the property originally belonged to Annapureddy Krishna Reddy, Doddala Poli Reddy, Ankamma W/o.Gurava Reddy, Basu Venkata Reddy and Basu Venga Reddy. They settled the property to Sri Kodanda Rama Swamy Temple under registered settlement deed bearing No.378/1909, which evidences that the Dharma Karthas of the Temple have to cultivate the land on lease and pay the lease amount to the Temple for performing 'Poojas' there and they have also kept Narayanam Sesha Charyulu as the Poojari. Thereby, according to the contesting respondents, the 23rd respondent or their grandfather got no right over the property. It is also claimed that the Temple lands were leased out to others who paid maktha to the Poojari for performing Dhoopa Deepa Naivedyam in the Temple. It is further claimed that presently the respondents 3, 4, their legal heirs and other settlers who are presently the Dharma Karthas of the Temple have been cultivating the lands on lease paying necessary lease to the Poojari for performing Poojas. It is alleged that the 23rd respondent who claims to be the legal heir of Narayanam Sesha Charyulu managed the Revenue authorities and got the PPBs/TDs in his name without any manner of right. It is also claimed that the respondents 3 and 4 filed O.S. No.935 of 2000 on the file of the Court of IV Additional Senior Civil Judge, Guntur for the cancellation of the sale deed between the petitioner and the 23rd respondent and also for the tenancy rights.

For the petitioner Exs.P1 to P14 were marked and for the contesting respondents Exs.R1 to R3 were marked.

Ex.R1 which is the cancellation deed dated 29.3.2011 executed by the Deputy Commissioner of Endowments, Hyderabad, proves that the sale deed executed by Narayanam Seshu Babu in favour of the petitioner was cancelled. Ex.R2 which is the certificate issued by the

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Village Revenue Officer, Nemalipuri Village dated 09.3.2012 provides that the petitioner was not in the possession of the property. The trial Court on considering the material available on record and hearing the counsel for both the parties, allowed the I.A. granting temporary injunction in favour of the petitioner, aggrieved by which the respondents 1 to 22 preferred the CMA which was allowed.

The respondents who are contesting the matter upholds the cancellation deed by virtue of Rule 26(i)(k)(i) of A.P. Registration Rules as well as Section 22A (e) of the Indian Registration Act, which contemplates that the Officer is empowered to cancel a registered document at the instance of a third party to the document provided sufficient grounds exist to do so. But on the other hand the petitioner depends upon filing of O.A. No.12 of 2011 before the Endowments Tribunal seeking for the eviction of the petitioner herein from the property whereas the corresponding notice dated 19.1.2011 issued was marked as Ex.P3, which makes it very clear that the Endowments Department itself recognized possession of the plaintiff over the property, but the Court below held that the petitioner was interfering with the peaceful possession and enjoyment of the property and granted the relief in favour of the plaintiff and the defendants from interfering with the property. Hence the CRP is not tenable. But in the CMA the lower appellate Court failed to appreciate the matter properly and on the other hand set aside the order passed in the I.A. before the Court below erroneously.

In para 27 of the order in the I.A. as contended by the learned counsel for the plaintiff, it is clearly observed that the Endowments Department filed O.A.No.12 of 2011 before the Endowments Tribunal seeking the eviction of the plaintiff whereas Ex.P3, the corresponding notice dated 19.1.2011 was issued by reason of which it is clear that the Endowments Department recognized the possession of the plaintiff.

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The documents filed with regards to the possession of the property are not conclusive proof of the possession whereas they are only means to prove the possession of the property. When there is better evidence with regards to the possession of the property these documents lose their significance. Of course this finding does not preclude the defendants from adducing necessary evidence and prove their claim at the time of the trial of the suit. There is no dispute about the filing of the said O.A. which thereby is to be accepted. When the eviction petition was filed against the plaintiff which clearly makes it very clear that he has been in possession and enjoyment of the property, the question of interfering with the possession of the Endowments property or any other does not arise at all. At the time of disposal of the I.A. filed for granting the relief of temporary injunction pending disposal of the suit, it is only to be seen as to whether the plaintiff has been in possession and enjoyment of the property.

Therefore, the appellate Court failed to appreciate whereas the trial Court appreciated the matter properly. Hence the order passed by the lower appellate Court is to be set aside confirming the order passed in the I.A. by the trial Court.

The civil revision petition is accordingly allowed. Miscellaneous petitions pending if any shall stand closed.

Sd/- Smt. M. Santhi Vardhani
ASSISTANT REGISTRAR

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[Signature]
SECTION OFFICER

To,

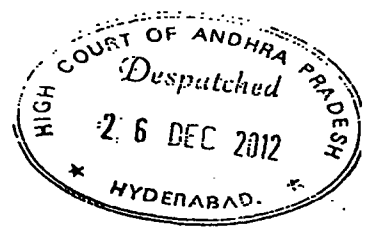
- 1) The III Additional District Judge, Guntur, Guntur District.
 - 2) The V Additional Senior Civil Judge, Guntur, Guntur District.
 - 3) One CC to Sri. V.V. Anil Kumar, Advocate (OPUC)
 - 4) One CC to M/s. K. Hemalatha, Advocate, (OPUC)
 - 5) Two CD Copies
- AKR

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HIGH COURT
GKMR. J

DATED:06/12/2012



ORDER
CRP.No.5228 OF 2012

ALLOWING THE C.R.P.

From

Sri A. Solomon, B.Com., LL.M.,
V Addl. Senior Civil Judge,
GUNTUR.

To

The Superintendent of Police (Rural)
GUNTUR.

Dt: 01-2013

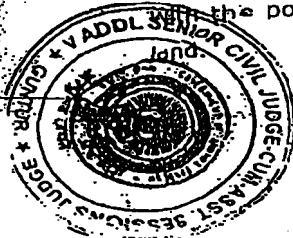
Sir,

Sub :- COURTS - Civil - V Addl. Senior Civil Judge's Court, Guntur -
Grant of Police Aid in Execution of the Order - Orders -
Issued.

Ref :- Orders passed in I.A.No.683/2010 in O.S.NO.680/2010.

* * * * *

You are hereby directed to provide necessary Police aid to Muppalla
Bala Krishna, S/o. Radha Krishna, R/o. Nemallpuri Village, Rajupalem Mandal,
Guntur District i.e. the plaintiff/ petitioner in O.S.No.880/2010 on the file of
this Court in execution of the Order passed in I.A.No.683/2010 in
O.S.No.880/2010 to restrain the respondent Nos.1 to 22 from interfering
with the possession and enjoyment of petitioner over the petition schedule



015421
22-1-13

Aswini P. Srinivas
V ADDL. SENIOR CIVIL JUDGE,
GUNTUR.

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P21



AP02 75615767

అంధ ప్రదేశ్ ప్రభుత్వము, రెవెన్యూ శాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

పట్టాదారుని అడ్డంగులు / పక్కాచి కాపీ

Application No:



A DL011614603905

Date: 06/02/2016

[illegible][illegible]

Name: CH. V. JYOTHI KUMAR
Designation: TAHSILDAR
Mandal: Tatyasaheb

Designation: TAHSIDAR

मिन्दलः राखः पः लो

Verified by CH. V. JYOTHI KUMAR

GOVERNMENT OF ANDHRA PRADESH
GOVERNMENT OF ANDHRA PRADESH

U.S. application number assigned in the Center.

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GOV-00000000000000000000000000000000

[illegible]

100-443887-1

Figure 1. The effect of the concentration of the polymer on the α -transition temperature of the polymer. The concentration of the polymer was 0.1 g/dl.

GOVERNMENT OF ALASKA

Note: This is a Digitally Signed Certificate

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1. *Chlorophyll a* (Chl *a*)

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

2/6/2016 1:26 PM

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//TRANSLATION//

Government of Andhra Pradesh, Revenue Department,

Land Records Computerization

Adangal / Pahani Copy

Application number

AD L011614603905

Date: 06/02/2016

District: Guntur

Village: Nimalipuri

Mandal: Rajupalem

Extent: Acres/Cents Fasli No.1425

Serial No.	Survey No. and Sub-Division No.	Total Extent	Extent of Cultivation/No n - Cultivation	Nature of the Land/ Tax	Details of Land / Water Source	Extent of Bound-aries	Account Num ber	Name(Father/Husband Name)	Name of the Veteran	Total extent of possession/enjoyment of possession
1	2	3	4/5	6/7	8/9	10	11	12	13	14/15
1	249-2B	10.7200	0.0000 10.7200	Patta 24.3800	Wet Canal	10.7200	200000	To be calculated	To be calculated	0.6200 Unknown
2							1003425	Muppalla Balakrishna Radhakrishna	Muppalla Balakrishna Radhakrishna	5.0000 Purchased
3							1962	Narayanam Dhanwantri Bharadwaj Lakshmi Narasimha Murthy	Narayanani Dhanwantri Bharadwaj Lakshmi Narasimha Murthy	5.1000 Ancestor

128 (138)

HLP

//TRANSLATION//

Government of Andhra Pradesh, Revenue Department,

Land Records Computerization

Form 1-B (ROR)

Application number

ROR011609348022

Date: 06/02/2016

District: Guntur

Village: Nermalipuri

Mandal: Rajupalem

Extent: Acres/Cents

S. No.	Name of Pattadar	Father Name	Account No.	Survey No.	Details of Land	Extent	Tax	Acquired	Owner/Lessee Name	Value
1	2	3	4	5	6	7	8	9/10	11/12	13
1	Muppalla Balakrishna	Radhakrishna	1003425	249-2B	Wet	5.0000	24.3800	Purchased		

(139)

126

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P22

రాజువాళెం లాల్మాకా శహాద్దారుల వారి ఉత్తర్వులు

వ్యవసాయ కేంద్ర హిందూమాల, పి.ప.

రె.నం. 100/84-న

శేరి : 100/84-న

వివరము : పట్టా మంజూరు - రాజువాళెం లాల్మాకా -
 మొదటిపురి గ్రామం ది. 22/11/73 - రె.నం. 100/73
 నెంబ్బు - నారాయణం పార్లమెంటు, శహాద్దారుల రాజ్యశక్తి
 వేరే నదరు భూమికి పట్టా బడి - ఉత్తర్వుల వారి.
 నేడువుము : 111 బెల్లంకాండ రెవెన్యూ పంచాయితీ గారి నోటిక
 శేరి : 84/84-న

121 వేరే వంబంబు కాగితములు.

...00...

ఉత్తర్వులు :-

S. No. 249-1, 2

రాజువాళెం లాల్మాకా శహాద్దారుల గుర్తు పట్టా నెంబ్బు
 2 లో దున్న రె.నం. 100-73 నెంబ్బు భూమి 1000 నెంబ్బులను సొంత
 నారాయణం పార్లమెంటు, శహాద్దారుల రాజ్యశక్తి అనువారం పూర్వకుల
 స్వాధీనముననుభవములకు వుండినందున, నదరు భూమికి వారి పేర్లు
 పెట్టెను సున్నందున, పి.ప. హిందూమాల 171 వకారము నదరు
 వర్ష నెంబ్బులకు నదరు భూమికి పట్టా బడిగా నై వారలకు బడి
 నేర్పూ ఉత్తర్వులు వారి శహాద్దారుల మొదటిపురి గ్రామ సహాయకుడు
 గారు గ్రామ కేంద్రలకు నై పేజీలను పూర్తిగా చేసి.

నం. x x x x x x x

శహాద్దారు,
కొల్లూరు.

నకలు :

1. మొదటిపురి గ్రామ సహాయకుని గారికి. S. No. 249-1, 2
2. బెల్లంకాండ రెవెన్యూ పంచాయితీ గారికి.

...అనుబంధం...
 గ్రామం
 KRCSURU

9/11/74

(140)

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//Neat copy//

Proceedings of Tahsildar, Rajupalem Taluq.
Presented: Sri.P.Sreenivasulu, B.A.

D.No.808/84-D.

Dated: 18.08.84.

Sub:- Patta Manjuru – Rajupalem Taluq – Nemalipuri village D.No.249-1, 2 –
Ac.19.75 cents – Narayanam Pardha Saradhi, Tarimesa Rajya Lakshmi to
transfer the land in their favor – Orders – Regarding.

Ref: 1) Report of Revenue Inspector Bellamkonda, Dt.21.8.84.
2) Other rule document.

@ @ @

Orders:

The land situated in Sy.No.249-1, 2 to an extent of Ac.19.75 cents was got from their ancestors Narayanam Pardha Saradhi and Tarimesa Rajya Lakshi and it is peaceful possession and enjoyment of them, and they are paying the land tax, hence according to B.S.O.No.171 , issued orders that it was transferred to the above persons as Pattadars and the Village Revenue Officer is instructed to change according to measurements.

Sd/- xxxxxxxxxxxx.

Tahsildar,
Krosuru.

Date: 09.06.84.

Copy to:

- 1) Village Assistant, Nemalipuri village.
- 2) Revenue Inspector, Bellamkond.a



S No. 26240 Date: 28/10/2013 Rs. 20/-

To ముప్పాళ్ల బాల కృష్ణ, 30 రాధా కృష్ణ, నెమలిపురి సమితి

విక్రయ స్వాధీనపు అగ్రిమెంటు

రు 30,00,000/- లకు స్థిరాస్తి శేరిమాగాణి భూమికి విక్రయ స్వాధీనపు అగ్రిమెంటు
ఆన 2013 వ సంవత్సరము అక్టోబరు నెల 28 వ తేదీన

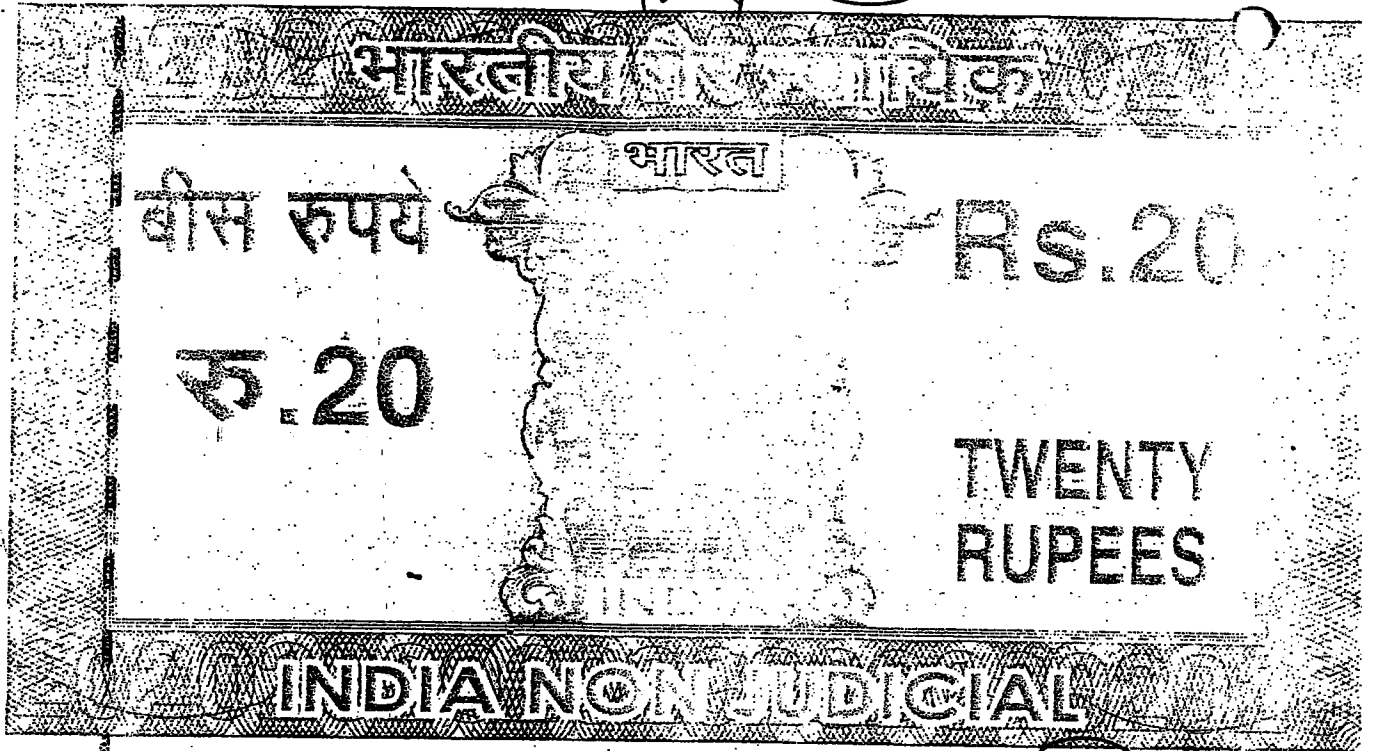
వ్రాయించుకున్నవారు : గుంటూరు జిల్లా, రాజుపాలెం మండలం, నెమలిపురి
గ్రామ కాపురస్తులు ముప్పాళ్ల రాధాకృష్ణ గారి
కుమారుడు ముప్పాళ్ల బాలకృష్ణ గార్కి

వ్రాయించియిచ్చినవారు : గుంటూరు జిల్లా, నరసరావుపేట మండలం, జొన్నలగడ్డ
గ్రామ డోర్ నెం. 1-31 రు కాపురస్తులు నారాయణం లక్ష్మీనరసింహమూర్తి గారి
కుమారుడు నారాయణం శేషుబాబు అనే నేను వ్రాయించి యిచ్చిన స్థిరాస్తి
శేరిమాగాణి భూమికి విక్రయ స్వాధీన అగ్రిమెంటు

వివరము : మా పూర్వీకుల వలన సంపాదించబడి, వారసత్వరీత్యా మా తాగారైన
నారాయణ పార్థసారధి గారి పేరుతో రైతువారి పట్టాపొందివుండి, మా తాత గార్కి
సర్వసంపూర్ణ హక్కులు కల్గిన స్థిరాస్తి ఆయన మరణానంతరం వారసత్వరీత్యా మా
జాయింటు కుటుంబమునకు సంక్రమించబడినది.

(Signature)

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S. No. 26211 Date: 28/10/2013 Re. 20/-

To ముప్పాళ్ళ బాల కృష్ణ కం రాధా కృష్ణ, నెమలిపూరి.
From చింతల.

: 2 :

దరిమిలా సదరు భూమిని భాగ పంపిణీచేయవలసినదిగాను మరియు సదరు భూమి పట్టాభూమి అని నిర్ధారించమని నేను నా తండ్రిగారైన నారాయణం లక్ష్మీనరసింహమూర్తి, నా సోదరుడైన ధన్వంతరి భరద్వాజ్, దేవాదాయ శాఖ మరియు కోటనెమలిపూరి గ్రామస్తులైన బాసు లింగారెడ్డి వగైరాలపై నేను జిల్లా కోర్టు, గుంటూరు నందు O.S.No. 12/2011 రుగా దావా వేసివున్నాను.

అయితే నా తండ్రిగారైన నారాయణం లక్ష్మీనరసింహమూర్తి, నా సోదరుడైన ధన్వంతరి భరద్వాజ్ లు యిరువురు సదరు భూమికి వారికి ఎటువంటి సంబంధం లేదని, వారికి ఎటువంటి హక్కులు లేవని సదరు దావానందు ఎక్స్ పార్ట్ అయివున్నారు.

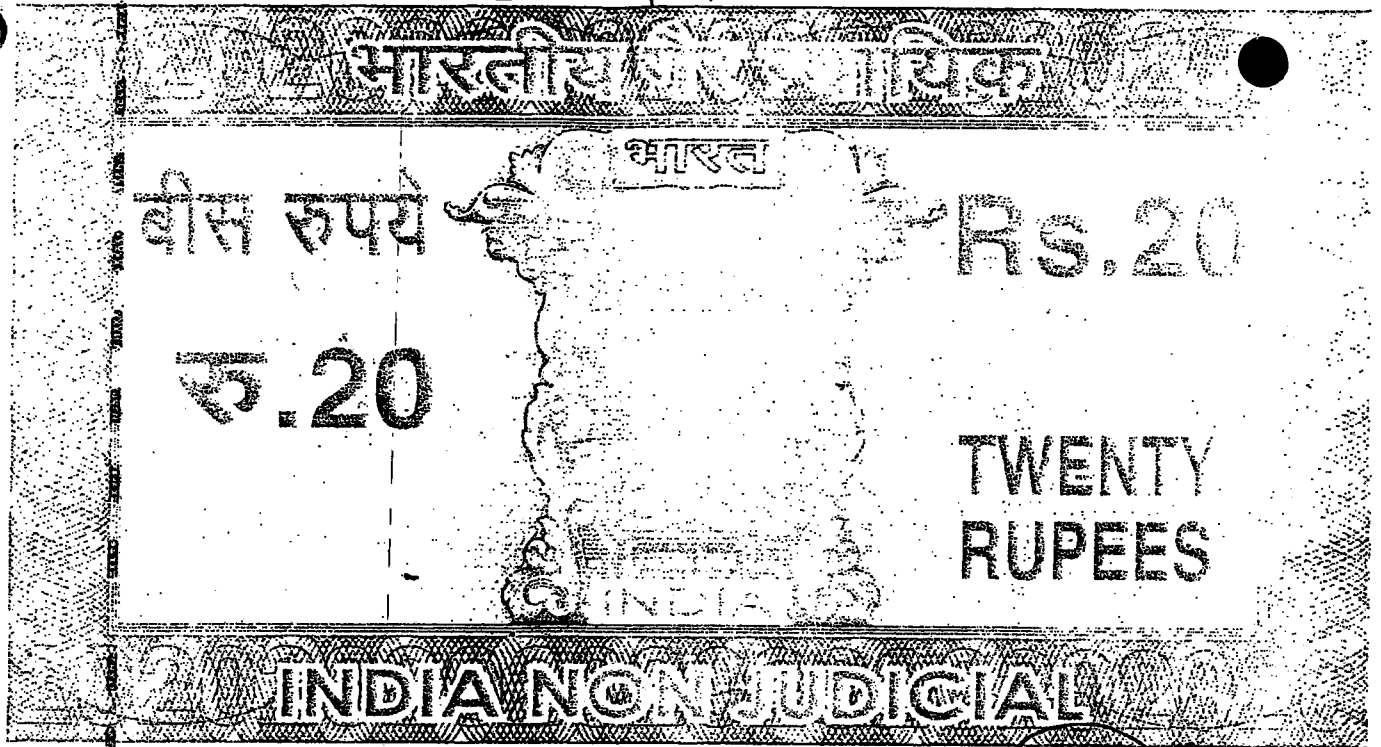
పైశ్రీ నాకు సర్వ సంపూర్ణ హక్కులు కల్గి, నేటివరకు నా స్వాధీన హక్కు భుక్తములులో వున్నటువంటి ఈ దిగువ షెడ్యూలు దాఖలా స్థిరాస్తి శేరిమాగాణి భూమిని నాయొక్క కుటుంబ ఖర్చుల నిమిత్తం నేను విక్రయ బహిరంగపర్చగా నీవు కావలయునని కోరినందున అందులకు నేను సమ్మతించి నేటి కాలోచిత ధరల ప్రకారం నీకు బిల్ కాంట్రాక్టుగా రు 30,00,000/- లకు (అక్షరముల ముప్పది లక్షల రూపాయలు) విక్రయించటమైనది.

సదరు క్రయధనము యావత్తు రు 30,00,000/- లను (అక్షరముల ముప్పది లక్షల రూపాయలు) రొఖ్కముగా యిచ్చినందున నాకు ముట్టినవి.

For Jeyhan. Balan

(143)

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S. No. 26212 Date: 28/10/2018 Rs. 20/-

Sold To ముప్పాళ్ళ మలక్కుప్ప, 30 రాధాకృష్ణ, నెమలిపురి
సీరింగ

: 3 :

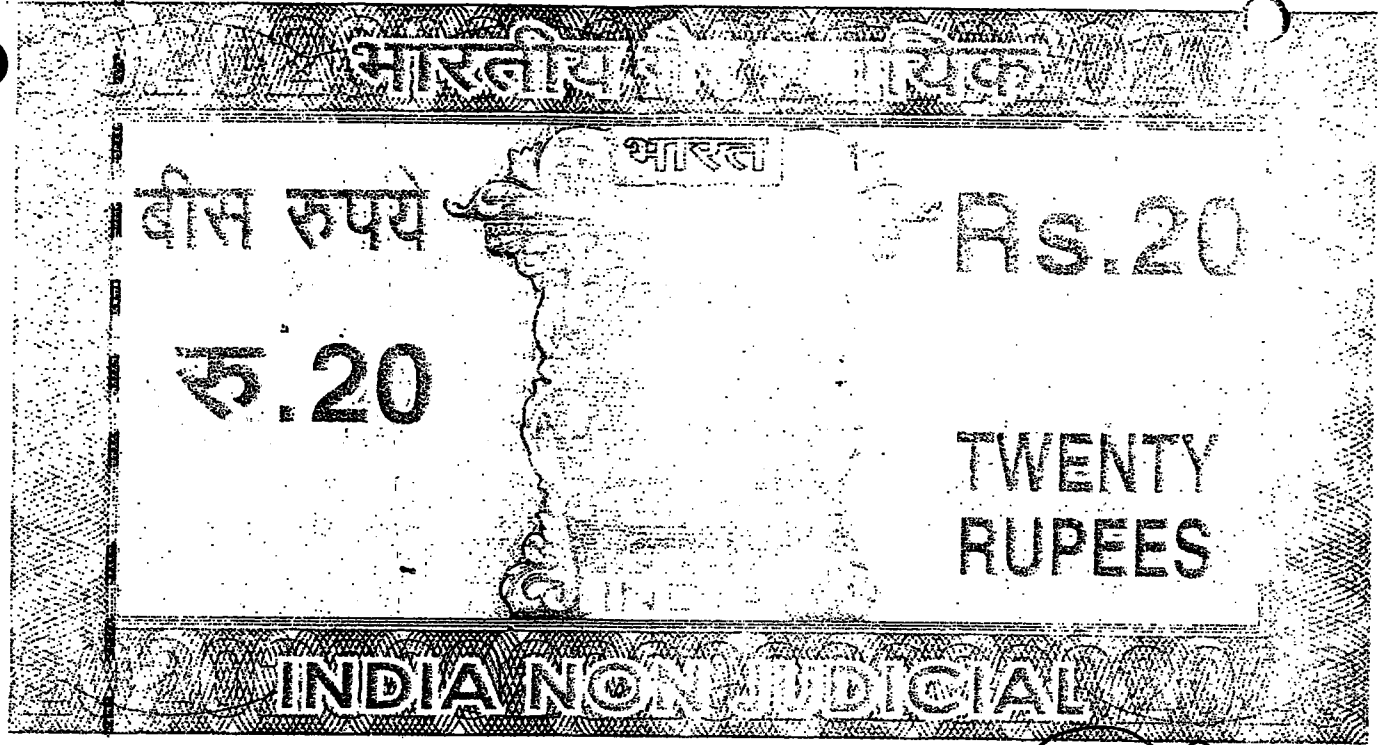
పైవిధముగా పూర్తి క్రయధనం రు 30,00,000/- లు (అక్షరముల ముప్పది లక్షల రూపాయలు) నాకు ముట్టినందున పెడ్యూలాస్తియందు నాకుగల సమస్త హక్కులను యిందువెంట వదలుకొని అట్టి సమస్త హక్కులను నీకు నేను కలుగజేసి సదరు ఆస్తిని ఈరోజుననే నేను నీకు స్వాధీనపరచడమైనది.

నేను నా తండ్రిగారైన నారాయణం లక్ష్మీనరసింహమూర్తి, నా సోదరుడైన ధన్వంతరి భరద్వాజ్, దేవాదాయ శాఖ మరియు కోటనెమలిపురి గ్రామస్థులైన బాసు లింగారెడ్డి వగైరాలపై నేను జిల్లా కోర్టు, గుంటూరు నందు O.S.No. 12/2011 రుగా వేసిన బాపా పరిష్కారము అయిన తరువాత నీ ఖర్చులతో, సరియగు స్థాంపుతో, నీ పేరుతోగాని, నీవు కోరిన వారి పేరుతోగాని, నీవు కోరిన ప్రకారం సరిఅయిన విక్రయ దస్తావేజును వ్రాయించి రిజిష్టరు చేయగలవాడను.

కనుక యింతటినుండి పెడ్యూలాస్తిని నీవు కర్తవై పెడ్యూలాస్తికి చెల్లించవలసిన గవర్నమెంటువారి పన్నులు వగైరాలు యావత్తు నాతో నిమిత్తం లేకుండా నీ పేరుతో నీవే చెల్లించుకొంటూ నీ యిష్ట ప్రకారముగా నీవు, నీ స్థానీయులు, నీ పుత్ర పౌత్ర వంశపారం పర్యంతం, దాన దమన వినిమయ విక్రయాధికార సమస్త సంపూర్ణ హక్కులతో అనుభవించవలయును. మరియు రిజిస్ట్రేషన్ కాలములోగా సదరు భూమిని నీవు కొలుకు యిచ్చుకున్ననూ మేము అభ్యంతర పెట్టగలవారము కాము.

R. Seshu Babu

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S. No. 26213 Date: 28/10/2013 Rs. 20/-

Sold To ముప్పలూరి బాల కృష్ణ, కలెక్టరాధికారి, నెమలిపూడి
సంఖ్య 8

: 4 :

అలా నీవు అనుభవించే ఎడల నిన్నుగాని, నీ వారస బాధ్యులనుగాని, నేను గాని, నా వారస బాధ్యులనుగాని ఎన్నటికి ఏవిధమైన దావా పేచీ తగాదాలు చేయగలవారము కాము.

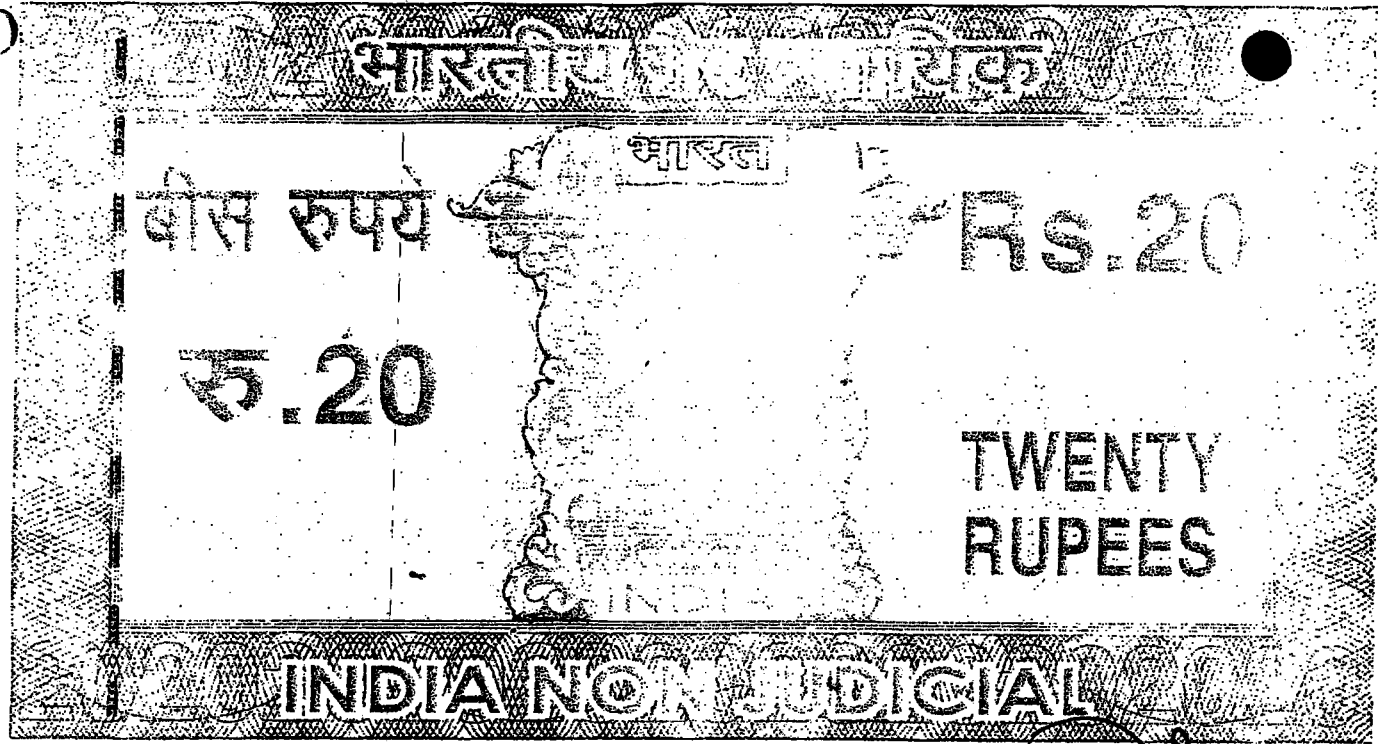
షెడ్యూలు దాఖలాస్తిని లోగడా నేను ఎవ్వరికి ఏవిధమైన తాకట్టు, విక్రయం, మార్పు, దానం వగైరా అన్యక్రంతములు చేయలేదనిన్నీ షెడ్యూలాస్తిపై ఎలాంటి ఋణములు లేవనిన్నీనీతో చెప్పి నిన్ను నమ్మించి నీ పేరటికి ఈ విక్రయ స్వాధీనపు అగ్రిమెంటును వ్రాయించి యివ్వడమైనది.

యికముందు కాలములో ఈ విక్రయాస్తిని గురించి ఎవ్వరి వలన ఎలాంటి అటంకములు సంభవించిన యెడల అవి అన్నియు నేను నా స్వంత బాధ్యతతోనూ, నా స్వంత ఖర్చులతోనూ, నా జవాబుదారీతోనూ నివారించి షెడ్యూలాస్తిని నీ క్రింద నేను నిరాటంకముగా చెలామణి చేయగలవాడను.

యిది నా సమ్మతిన వ్రాయించి యిచ్చిన స్థిరాస్తి శేరిమాగాణి భూమికి విక్రయ స్వాధీనపు అగ్రిమెంటు

N. Jeyaraj. Balu

(145) 132



S. No. 26214 Date: 28/10/2018 Rs. 20/-

Sold To ముప్పాళ్ళ బాలకృష్ణ, S/o రాధా కృష్ణ, నెమలిపురి
To Whom పంపించు

: 5 :

షె డ్యూ లు

గుంటూరు జిల్లా, రాజుపాలెం మండలం, నెమలిపురి గ్రామ పంచాయితీ పరిధిలోని, నెమలిపురి గ్రామ సర్వే నెం. 249/2B, 249/1C ధ్లోని మింజుమలె విక్రయాప్తికి హద్దులు

<u>తూర్పు</u>	: నీ తాలూకూ భూమి హద్దు
<u>దక్షిణం</u>	: గుత్తా పానకాలరావు, గుత్తా బ్రహ్మేశ్వరరావు వగైరాల భూమి హద్దు
<u>పడమర</u>	: తమిరిశ రాజ్యలక్ష్మి గారి భూమి హద్దు
<u>ఉత్తరం</u>	: అద్దంకి టు నార్కెట్ పల్లి హైవే రోడ్డు హద్దు కొంతవరకు

దేవరంపాడు వెళ్లు రోడ్డు హద్దు కొంతవరకు

ఈ హద్దుల మధ్యగల య 6.00 శెంట్లు అక్షరముల అరు యకరముల శేరిమాగాణి భూమిని నీకు విక్రయించి స్వాధీనపరచటమైనది.

సాక్షులు :

1 N. Subrahmanya Rao

2 N. Subrahmanya Rao

N. Subrahmanya Rao

(146) 138

SALE CUM POSSISSION DELIVERY AGREEMENT.

Sale and possession delivery agreement for wet land for Rs.30,00,000/-

On 28th October, 2013

Claimant: Muppalla Bala Krishna son of Muppalla Radha Krishna, a resident of Nemalipuri village of Rajupalem Mandal, Guntur District.

Execuent: This sale & processional agreement executed by Narayanam Seshu Babu son of Narayanam Lakshmi Narasimha Murthy, a resident of Door No.1-31, Jonnalagadda village, Narasaraopet Mandal, Guntur District.

Explanation: The land bequeathed from my ancestors and Ryotwari Patta got my by paternal grandfather Narayanam Pardha Sarathi with full rights and enjoyment of the immovable property, after his demise, the said property bequeathed as joint family as successors.

Subsequently I and my father Narayanam Lakshmi Narasimha Murthy and my brother Dhanvanthari Bharadwaju filed a suit in District Court Guntur against Endowment department and Basu Linga Reddy and others vide OS.No.12/2011.

Later my father Narayanam Lakshmi Narasimha Murthy and my brother Dhanvanthari Bharadwaja were stated that they have no right over the landed property and expertee in the suit.

According to above, I got right over the property and since them it is in my peaceful possession and enjoyment till today. Hence I openly expressed to sell the below mentioned schedule wet land towards my family expenses, on that you come forward and asked to take the property, hence I agreed and to sell the same at present rates and sold the same today with oil contract for Rs.30,00,000/- (Rupees thirty lakhs only).

Today the entire sale consideration of Rs.30,00,000/- (Rupees thirty lakhs only) was given to me, the same was received by me.

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As per above, since I have received Rs.30,00,000/- (Rupees thirty lakhs only) towards total sale consideration, Hence I delivered the entire rights over the property, and given to you and handing over the schedule property to you.

I will execute a right sale deed in your favor or your interested persons after disposal of OS No.12/2011 filed by me, my father Narayanam Lakshmi Narasimha Murthy and my brother Narayanam Bharadwaj against Endowment and Kotanemalipuri villagers Basu Linga Reddy and others in district Court, Guntur.

Therefore, from now onwards, all taxes and fees due to the government and the property, which you are the owner of, shall be paid by you in your own name, without any interference from me, and shall be given away as you wish, to you, your relatives, and your descendants, as a gift, a gift of charity.

As you are enjoying the property, either you, or your people, I and my peoples did not interrupt.

I believing you that I did not mortgage, sell, give to charity or otherwise regarding the schedule property and executing this sale and possession agreement.

If any objections raised regarding the schedule property from any others, all shall be cleared with my own expenditure as I am responsible and make your enjoyment in your peaceful enjoyment.

This was written as my own accords for the wet lands sale and possession agreement.

Schedule

The boundaries of sold property which is situated in SyNo.249/2B, 249/1C of Nemalipuri village, Rajupalem Mandal, Guntur District.

East: your land.

South: land of Guththa Panakaala Rao and Guththa Brahemsware Rao and othe.s.

West: The land of Tarimksa Rajya Lakshmi.

North: Addanki to Narketpall Highway. I am handing over the property wet land situated between in the above boundaries.

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(T48) 138 P21

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

FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE DR JUSTICE K. MANMADHA RAO



WRIT PETITION NO: 27720 OF 2024

Between:

M/s. Royal Line Ice Creams Limited Liability Partners, Visakhapatnam, Rep. by its Managing Director Ryali Veera Venkata Sateesh, S/o. R.Narayana Rao, Aged about 56 years, Occ: Business, R/o. Sea Doll Apartments, A-Block, Nowroji Road, Opp Grand Bay Hotel, Visakhapatnam - 530004, Visakhapatnam District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Endowments) Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada, NTR District.
3. The District Endowment Officer, Visakapatnam.
4. Sri Paradesamma Ammayari Temple, Lankelapalem Village Parawada Mandal, Visakhapatnam District, Represented by its Executive Officer.

...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 appropriate Writ order or direction more particularly, one in the nature of Writ of Mandamus, declaring the action of the respondents in keeping the petitioners property admeasuring Ac.1.01 cents in Sy. No. 189/2 situated at Lankelapalem Village, Parawada Mandal, Visakhapatnam District in the prohibitory list as per Section 22(A)(1)(c) of Registration Act, 1908 as bad, illegal, arbitrary, without jurisdiction, contrary to the principles of natural justice, violative of Fundamental Rights

136 (149)

guaranteed under Article 14, 21 and 300-A of the Constitution of India and consequently direct the respondents to forthwith release the subject property from the prohibitory list as per Section 22(A)(1)(c) of Registration Act, 1908.

IA NO: 1 OF 2024

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 to not to interfere with the petitioners property admeasuring Ac. 1.01 cents in Sy. No. 189/2 situated at Lankelapalem Village, Parawada Mandal, Visakhapatnam District.

Counsel for the Petitioner : SRI D. V. SASIDHAR

Counsel for the Respondent Nos.1 to 3 : GP FOR ENDOWMENTS

**Counsel for the Respondent No.4 : SRI B. JAGAHEESH KUMAR,
SC FOR ENDOWMENTS**

The Court made the following: ORDER

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

+ WRIT PETITION NO: 27720 OF 2024

% 29.11.2024

M/s. Royal Line Ice Creams Limited Liability Partners,

Visakhapatnam, rep., by its Managing Director

... Petitioner.

Vs.

s The State of Andhra Pradesh, rep., by its Principal Secretary,
Revenue (Endowments) Department, Secretariat, Velagapudi,
Amaravati and Others

... Respondents.

! Counsel for the Petitioner : Mr. D.V. Sasidhar

! Counsel for the Respondents: Learned Assistant Government Pleader for
Endowments.

< Gist:

> Head Note:

? Cases referred:

DATE OF ORDER PRONOUNCED: 29.11.2024

* THE HON'BLE DR. JUSTICE K. MANMADHA RAO

- | | |
|---|-----|
| 1. Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes |
| 2. Whether the copies of judgment may be Marked to Law Reporters/Journals. | Yes |
| 3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes |

APHC010530652024



138 1 (151)
IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3310]

FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 27720 OF 2024

Between:

M/s Royal Line Ice Creams Limited Liability Partners

...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. GP FOR ENDOWMENTS

The Court made the following:

ORDER:-

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

".....to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in keeping the petitioners property admeasuring Ac. 1.01 cents in Sy.No. 189/2 situated at Lankelapalem Village, Parawada Mandal, Visakhapatnam District in the prohibitory list as per Section 22(A)(1)(c) of Registration Act, 1908 as bad, illegal, arbitrary, without jurisdiction, contrary to the principles of natural justice, violative of Fundamental Rights guaranteed under Article 14, 21 and

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300-A of the Constitution of India and consequently direct the respondents to forthwith release the subject property from the prohibitory list as per Section 22(A)(1)(c) of Registration Act, 1908 and pass such other orders...

2. Heard Mr. D.V.Sasidhar, learned counsel for the petitioner and learned Assistant Government Pleader, Endowments for the respondents 1 to 3.

3. Learned counsel for the petitioner would contend that the petitioner company is the absolute owner and possessor of the land measuring Ac. 1.01 cents in Sy.No.189/2 of Lankelapalem Village, Parawada Mandal, Visakhapatnam District, having purchased the same under a Registered Sale Deed dated 06.07.2010 from its respective owner, since then he has been in possession and enjoyment of the same and obtained approved plan from the VUDA vide proceedings dated 18.09.2010. The Tahsildar, Parawada has given certificate vide proceedings dated 14.08.2008 certifying that the subject land is Zeroythi land. The petitioner has entered into a lease agreement with the Visakha Milk Producers Company dated 27.11.2018 for leasing out the Ice Cream manufacturing plant and missionary for a period of 90 months or 7 and half years. Surprisingly the then Assistant Commissioner, Endowments Department, Visakhapatnam has issued an eviction notice dated 27.10.2021 through the 4th respondent/ Executive Officer. Thereafter the petitioner was called to the office of the 3rd respondent and threatened with dire consequences, unless he agree with the title of the temple and give an undertaking agreeing the title and requesting for lease for a period of 11 years the petitioner company will be closed. Since the petitioner had no option, he

was constrained to sign on the undated undertaking prepared by the then Assistant Commissioner, Endowments Department, Visakhapatnam by name Ms. Santhi, requesting to grant lease of his own land and issued order dated 04.01.2022. While the matter stood thus, the petitioner submitted a representation dated 20.08.2024 to the 2nd respondent requesting to get back his property after enquire into the matter pursuing all the documents and to delete the property from the prohibited property list maintained under Section 22-A(1)(c) of Registration Act, 1908. Therefore, the present writ petition came to be filed, questioning the action of the respondents in this writ petition.

4. During hearing learned Assistant Government Pleader for the respondents 1 to 3 placed on record the written instructions dated 28.11.2024 submitted by the 3rd respondent that after enquiry and verification of revenue Records it is entered in Section 43 Register that the temple owns an extent of Ac. 10.13 cents in S.No.189 and Ac. 6.20 cents in Sy.No.190/1 situated at Lankelapalem Village, Parawada Mandal, Anakapalli District. As per the Settlement Register of Lankelapalem Village, Sri Paradesamma Ammavaru is the absolute owner of landed property to an extent of Ac. 10.13 cents in Sy.No. 189 and Ac. 6.20 cents in S.No.190/1. The said land was already notified under Section 22(A) (1)(c) of Registration Act, prohibiting any transactions whatsoever. The said land squarely belongs to the temple. It is further contended that the petitioner has informed that the land belongs to the Endowments Department and asked to pay Rs. 20,000/- per month towards damages for his use and occupation and also requested to lease out the land

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in favour of him, he has submitted a letter to express his willing to pay the said amount. The petitioner is a lease holder in Sy.No.189 in an extent of Ac. 1.00 cents to an extent as a part he is an encroacher earlier also before his willing to pay damages and Lease permission request, other remaining extent in Sy.No.189 was under encroachments and filed O.As before A.P.Endowments Tribunal with O.A.Nos. 121 of 2022, 13 of 2022, 123 of 2022 and 122 of 2023 pending. Hence, requested to dismiss the writ petition.

5. Perused the record.

6. As per Section 87 of The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (in short 'the Endowments Act'), which reproduced hereunder:

87. [Power of Endowments Tribunal to decide certain disputes and matters. [Substituted by Act No. 33 of 2007, dated 11.12.2007.]

(1)The Endowments Tribunal having jurisdiction shall have the power, after giving notice in the prescribed manner to the person concerned, to enquire into and decide any dispute as to the question.

(a)whether an institution or endowment is a charitable institution or endowment;

(b)whether an institution or endowment is a religious institution or endowment;

(c)whether any property is an endowment, if so whether it is a charitable endowment or a religious endowment;

(d)whether any property is a specific endowment;

(e)whether any person is entitled by custom or otherwise to any honor, emoluments or perquisites in any charitable or religious institution or

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endowment and what the established usage of such institution or endowment is in regard to any other matter;

(f) whether any institution or endowment is wholly or partly of a secular or religious character and whether any property is given wholly or partly for secular or religious uses; or

(g) where any property or money has been given for the support of an institution or endowment which is partly of a secular character and partly of a religious character or the performance of any service or charity connected with such institution or endowment or the performance of a charity which is partly of a secular character and partly of a religious character or where any property or money given is appropriated partly to secular uses and partly to religious uses, as to what portion of such property or money shall be allocated to secular or religious uses;

(h) whether a person is a founder or a member from the family of the founder of an Institution or Endowment.

(2) The Endowments Tribunal may, pending its decision under subsection (1), pass such order as it deems fit for the administration of the property or custody of the money belonging to the institution or endowment.

(3) The Endowments Tribunal may while recording its decision under subsection (1) and pending implementation of such decision, pass such interim order as it may deem fit for safeguarding the interest of the institution or endowment and for preventing damage to or loss or misappropriation or criminal breach of trust in respect of the properties or moneys belonging to or in the possession of the institution or endowment.

(4) The presumption in respect of matters covered by Clauses (a), (b), (c), (d) and (e) in sub-section (1) is that the institution or the endowment is a public one and that the burden of proof in all such cases shall lie on the person claiming the institution or the endowment to be private or the property or money to be other than that of a religious endowment or specific endowment, as the case may be.

(5) Notwithstanding anything contained in the above sub sections the Deputy Commissioner having jurisdiction shall continue to enquire into and decide the

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disputes referred to in sub-section (1) until the constitution of the Endowments Tribunal.]

7. Section 88 of The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 the Right of appeal against the decision of the Endowments Tribunal under Section 87. *[Substituted by Act No. 33 of 2007, dated 11.12.2007.]*

"Any person aggrieved by the decision of the Endowments Tribunal under Section 87 and Section 119 may, within ninety days from the date of receipt of the decision prefer an appeal to the High Court."

8. As per Section 87 and 88 of the 'Endowments Act', it is very clear that the Endowments Tribunal having jurisdiction shall have the power, after giving notice in the prescribed manner to the person concerned, to enquire into and decide any dispute as to the question. Such exercise could not be done in the instant case. The learned Government Pleader for the respondents vehemently argued that the petitioner is an encroacher earlier in respect of the land in Sy.No.189 to an extent of Ac. 1.00 cents and he himself willing to pay damages and lease permission request, other remaining extent in Sy.No.189 was under encroachments and filed O.As before the Tribunal, which are pending. Therefore, it is contended that the writ petition is not maintainable under Article 226 of the Constitution.

9. The scope of Article 226 of the Constitution of India is reproduced hereunder:

(1) Notwithstanding anything in article 32, every High Court shall have power, throughout the territories in relation to which it

exercises jurisdiction, to issue to any person or authority, including in appropriate cases, any Government, within those territories directions, orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, or any of them, for the enforcement of any of the rights conferred by Part III and for any other purpose.

(2) The power conferred by clause (1) to issue directions, orders or writs to any Government, authority or person may also be exercised by any High Court exercising jurisdiction in relation to the territories within which the cause of action, wholly or in part, arises for the exercise of such power, notwithstanding that the seat of such Government or authority or the residence of such person is not within those territories.

(3) Where any party against whom an interim order, whether by way of injunction or stay or in any other manner, is made on, or in any proceedings relating to, a petition under clause (1), without-

(a) furnishing to such party copies of such petition and all documents in support of the plea for such interim order; and

(b) giving such party an opportunity of being heard, makes an application to the High Court for the vacation of such order and furnishes a copy of such application to the party in whose favour such order has been made or the counsel of such party, the High Court shall dispose of the application within a period of two weeks from the date on which it is received or from the date on which the copy of such application is so furnished, whichever is later, or where the High Court is closed on the last day of that period, before the expiry of the next day afterwards on which the High Court is open; and if the application is not so disposed of, the interim order shall, on the expiry of that period, or, as the case may be, the expiry of the said next day, stand vacated.

(4) The power conferred on a High Court by this article shall not be in derogation of the power conferred on the Supreme Court by clause (2) of article 32."

10. In the instant case, the petitioner has not preferred any Appeal before the learned Tribunal in respect of subject land, so far and further the petitioner is now questioning the action of the respondents in placing the subject land in prohibited property list maintained under Section 22(A)(1)(c) of the Registration Act, 1908, which is not maintainable by invoking under Article 226 of the Constitution of India as contended by learned Government Pleader for the respondents.

11. Section 83 of the Endowments Act deals with eviction of encroachment, which reproduced hereunder:

"83. Encroachment of land, building, or any property belonging to a charitable or religious institution or endowment and the eviction of encroacher:- (1) Notwithstanding anything to the contrary contained in this Act or any other law for the time being in force, the encroachment of land, building, or any property of a charitable or religious institution or endowment is prohibited.

(2) The Executive Officer of the Charitable or Religious Institution or Endowment or the Assistant Commissioner or any authority higher in rank thereof, shall, by notice, require the encroacher to remove the encroachment as hereinafter provided:

Provided that the encroacher shall be entitled to submit reply/ explanation to such notice within one week from the date of receipt of such notice, which shall be duly considered and appropriate orders thereon shall be passed:-

- (a) Either withdrawing the notice issued and dropping further proceedings; or
- (b) Affirming the notice and duly stipulating the time within which such encroachment shall be removed.

(3) If the encroacher fails to remove the encroachment within such stipulated period, the authority who issued the notice shall remove the encroachment

with police assistance, if necessary and recover the cost of removal from the encroacher.

(4) For the purpose of securing police assistance, the authority concerned shall approach the jurisdictional Superintendent of Police/ Commissioner of Police who shall thereupon provide such police assistance as is deemed necessary for the removal of encroachment.

(5) Any act of encroachment including the attempt to encroach shall be a cognizable offence, non-bailable and triable as a warrant case, in accordance with the provisions of Code of Criminal Procedure, 1973, punishable with imprisonment for a term which shall not be less than three years but which may extend to eight years and with fine which may extend to Rupees one lakh.

12. And also 84 of the Endowments Act provides mode of eviction on failure of removal of the encroachments as directed by the Endowments Tribunal. [Substituted by Act No. 33 of 2007, dated 11.12.2007.]

(1) Where within the period specified in the order under sub-section (4) of Section 83, the encroacher has not removed the encroachment and has not vacated the land, building or space, the Assistant Commissioner having jurisdiction over the sub-division may remove the encroachment and obtain possession of the land, building or space, encroached upon, taking such police assistance as may be necessary. Any Police Officer whose help is required for this purpose shall be required to render the necessary help to the Assistant Commissioner.

(2) Nothing in sub-section (1) shall prevent any person aggrieved by any order of the Endowments Tribunal under sub-section (4) of Section 83 from preferring an appeal before the High Court to establish that the Charitable and religious Institution or Endowment has no title to the land, building or space:

Provided that no appeal shall be preferred after expiry of ninety days from the date of receipt of the order under sub-section (4) of Section 83:

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Provided further that no such appeal shall be preferred by a person who is let in to the possession of land, building or space, or who is a lessee, licensee or mortgagee of Institution or Endowment.]

13. As could be seen from the material available on record and also considering the submissions of both the counsel, it appears that there is a serious dispute involved in between the petitioner and 4th respondent with regard to title over the subject land. The petitioner has not chosen to approach Endowments Tribunal for redressal of his grievance, where similar matters are being pending therein. Since the 4th respondent is claiming the subject land as their land, the issue falls within the jurisdiction of the Endowments Tribunal as per the 'Endowments Act'. An appeal lies against the Award passed by the 'Endowments Tribunal' under Article 226 of the Constitution of India. Therefore, the relief sought by the petitioner in the instant case is not comes under purview of under Article 226 of the Constitution of India, therefore, this writ petition is not maintainable.

14. In view of the procedure as contemplated under 'Endowments Act' cited supra, question of directing the respondents to direct the respondents to release the subject property from the prohibited property list maintained under Section 22(A)(1)(c) of the Registration Act, 1908 does not arise at this juncture.

15. Therefore, it is suffice it, to issue a direction to the petitioner to approach learned Endowments Tribunal for redressal of his grievance in accordance with law, within four (04) weeks from the date of receipt of a copy

of this order. On such submission, the learned Endowments Tribunal is directed to protect the interest of the petitioner till disposal of Interlocutory Application filed by the petitioners in O.A. The respondents are directed not to take any coercive steps against the petitioner in respect of the subject land till then.

16. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

17. The miscellaneous applications pending, if any, shall also stand closed.

//TRUE COPY//

SD/- K TATA RAO
DEPUTY REGISTRAR

SECTION OFFICER

One Fair Copy to the HON'BLE DR JUSTICE K. MANMADHA RAO
(For His Lordship's kind perusal)

To,

1. The Principal Secretary, Revenue (Endowments) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada, NTR District.
3. The District Endowment Officer, Visakapatnam
4. The Executive Officer, Sri Paradesamma Ammavari Temple, Lankelapalem Village Parawada Mandal, Visakhapatnam District.
5. One CC to Sri D. V. Sasidhar, Advocate [OPUC]
6. Two CCs to GP for Endowments, High Court of Andhra Pradesh. [OUT]
7. One CC to Sri B. Jagadheesh Kumar, SC for Endowments (OPUC)
8. 9 L.R. Copies.
9. The Under Secretary Union of India, Ministry of Law, Justice & Company Affairs, New Delhi.
10. The Secretary, A.P. High Court Advocates Association, High Court of A.P. at Amaravati, Guntur District.
11. Three C.D. Copies.

Cnr

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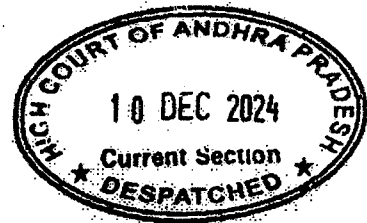
HIGH COURT

CNR
L.R. COPIES

DATED: 29/11/2024

ORDER

WP.No.27720 of 2024



DISPOSING OF THE W.P.
WITHOUT COSTS



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

[3310]

THURSDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 28475/2024

Between:

Poreddy Krishna Reddy and Others

...PETITIONER(S)

AND

Sri Lakshmi Chennakeshava Swamy Vari Devasthanam
and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. P NAGENDRA REDDY

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

2.

The Court made the following Order:

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

"...to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of respondent No.1 in issuing the Impugned Orders in Rc.No.Lands-10/2024, Rc.No.Lands-18/2024, Rc.No.Lands-19/2024 and Rc.No.Lands-20/2024 all are dt.25-11-2024 under Sec.83(3) of the Endowments Act, 30/87 without conducting enquiry and even inspite of establishing the long standing possession passing the Impugned Order basing on summary enquiry declaring the

petitioners as encroachers and directing to remove the encroachment within 15 days from the date of receipt of the order as arbitrary illegal and violation of Articles 14, 19, 21 and 300-A of the Constitution of India and consequently set aside the Impugned Orders in Rc.No.Lands-10/2024, Rc.No.Lands-18/2024, Rc.No.Lands-19/2024 and Rc.No.Lands-20/2024 all are dt.25-11-2024 issued by the 1st respondent in the interest of justice....."

2. Brief facts of the case are that petitioners' father Late Kanaka Reddy is the cultivating tenant since the year 1964 in respect of the land extent Ac.7.44 cents situated in Sy.No..112 of Markapur town, Prakasam District. The said land belong to I.Velugondamma. When the said Velugondamma sold the said land to Bujjabbayi without giving first priority to petitioners' father on the ground of cultivating tenant, he filed ATC No.2/1984. The said ATC has been decreed in his favour by District Munsif, Markapur on 05.09.1989. The said order has been confirmed in ATA No.16/2000, dated 26.06.2015 by the District Judge, Ongole. Questioning the same CRP.No.172/2016 has been filed and the same is pending before this Court. For the past 60 years, the petitioners have been cultivating the said land and the owner of the said land is I.Velugondamma. After the death of petitioners' father, the petitioners came on record in the CRP and all are cultivating the land. While things stood thus, the 1st respondent temple issued notice, dated 18.10.2024 under Sec.83(2) of the Act 30/87 alleging that the petitioners are encroachers of the land extent of Ac.7.44 cents in Sy.No.112 of Markapuram town and directed to submit the explanation why the petitioners should not be evicted from the land.

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Accordingly, the petitioners submitted preliminary explanation on 25.10.2024 and final explanation on 22.11.2024 disputing that the allegation and claimed that the subject land does not belong to the 1st respondent temple and it belongs to the original owner Velugondamma for which the proceedings under Andhra Tenancy Act is pending in CRP No.172/2016 and the father of the petitioner succeeded before the trial court and Appellate Court. After receiving the notices, the 1st respondent without conducting enquiry issued the impugned orders vide Rc.No.Lands-20/2024, Rc.No.Lands-18/2024, Rc.No.Lands-19/2024 and Rc.No.Lands-20/2024, dated 25.11.2024 stating that the petitioners are encroachers and they should vacate and handover the possession of the land to the 1st respondent-temple within a period of 15 days; failing which, further proceedings will be initiated. Aggrieved by the same, the present writ petition has been filed.

3. Heard Mr.P.Nagendra Reddy, learned counsel for the petitioners and Mr.Mekapotula Srinivasa Rao, learned Standing Counsel for the 1st respondent as well as Mr.P.Srinivas, learned Assistant Government Pleader for Endowments for respondent Nos.2 to 4.

4. On hearing, learned counsel for the petitioners while reiterating the contents urged in the writ petition, submits that, in similar circumstances, a learned Single Judge of this Court in W.P.No.29773 of 2018, dated 05.05.2023; W.P.No.26301 of 2023, dated 02.07.2024 and W.P.No.27720 of

2024, dated 29.11.2024, while disposing of the writ petitions, granted liberty to the petitioner as well as respondent-temple to approach the Endowments Tribunal for redressal of their grievance with regard to title over subject lands and further directed the respondents not to interfere with the possession and enjoyment of the petitioners over the subject land till the decision is taken by the Endowments Tribunal. He also relied upon a decision of a learned Division Bench of this Court passed in W.A.No.815 of 2022, dated 04.05.2023, wherein it was also while disposing of the writ appeal, directed the appellant therein to prefer an appeal under Section 45 read with Section 87 of the Act No.30 of 1987. In view of the same, learned counsel requests this Court to pass similar order in this writ petition also.

5. On the other hand, learned Assistant Government Pleader for Endowments and learned Standing Counsel do not refute the submission made by learned counsel for the petitioners.

6. As seen from the material on record, there is a serious dispute in between the petitioners and the 1st respondent temple with regard to the title over the subject land.

7. Considering the submissions of both the learned counsels and on a perusal of the decisions of learned Single Judge as well as learned Division Bench of this Court as stated supra, this Court is of the opinion that, either of the parties have to approach the Endowments Tribunal for redressal of their

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grievance. Therefore, this Court deems fit to dispose of the writ petition, with the following directions:

- i. Granting liberty to either of the parties i.e., the writ petitioners as well as the respondent temple authorities to approach the Endowments Tribunal by way of filing Interlocutory Applications as well as Original Applications for redressal of their grievance, within two (02) months from the date of receipt of a copy of this order.
- ii. On filing such applications, the Endowments Tribunal shall decide the same on merits within four (04) weeks thereafter.
- iii. Further, the respondent temple authorities are directed not to interfere with the possession and enjoyment of the petitioners' subject land till disposal of the said Interlocutory Applications.

8. With the above directions, the Writ Petition is disposed of, at the stage of admission, with the consent of both the learned counsels. No costs.

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

BMS

Dr. K. MANMADHA RAO, J

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Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh on 20 December, 2024

**Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh
on 20 December, 2024**

1

*HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

+WRIT PETITION Nos.28866/2024 & 28869/2024

WP No.28866/2024

Between:

Iruvanti Murali Krishna Murthy, S/o Iruvanti Satya Narayana

... Petitioner

And

\$ The State of Andhra Pradesh, rep by its Principal secretary,
Revenue (Endowments) Department, Secretariat,
Velagapudi, Amaravati, Guntur District and 2 others.

.... Respondents

JUDGMENT PRONOUNCED ON 20.12.2024

THE HON'BLE DR.JUSTICE K. MANMADHA RAO

1. Whether Reporters of Local newspapers
may be allowed to see the Judgments?

- Yes -

2. Whether the copies of judgment may be marked to Law
Reporters/Journals

- Yes -

3. Whether Their Ladyship/Lordship wish to see the fair
copy of the Judgment?

- Yes -

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Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh on 20 December, 2024

DR.JUSTICE K. MANMADHA RAO

2

* THE HON'BLE DR.JUSTICE K. MANMADHA RAO

+WRIT PETITION Nos.28866/2024 & 28869/2024

% 20.12.2024

WP No.28866/2024 :

Iruvanti Murali Krishna Murthy, S/o Iruvanti Satya Narayana

... Petitioner

And

\$ The State of Andhra Pradesh, rep by its Principal secretary,

Revenue (Endowments) Department, Secretariat,

Velagapudi, Amaravati, Guntur District and 2 others.

.... Respondents

! Counsel for the Petitioner : Sri V. Venugopala Rao

Sri V.V.N. Narasimham

! Counsel for Respondents: G.P for Endowments

<Gist :

>Head Note:

? Cases referred:

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APHC010551012024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3310]
(Special Original Jurisdiction)

(170) 157

Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh on 20 December, 2024

FRIDAY ,THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 28866/2024& 28869/2024

WP No.28866/2024:

Between:

Iruvanti Murali Krishna Murthy

AND

The State Of Andhra Pradesh and Others

...R

Counsel for the Petitioner:

1. V V N NARASIMHAM

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

The Court made the following:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

"....to issue a Writ Order or direction more particularly one in the nature of WRIT C declaring the order passed in Rc No Lands12/2024 dated 25.11.2024 passed u/s 83(2) of and Hindu Religious Institutions and Endowments Act as amended by Act 36/2023 where u respondent has passed orders to vacate the land to an extent of Ac 1.25 cents out of agricultural lands in survey no. 1133 of Markapuram Town and Mandal being bad, illegal jurisdiction violation of principles of natural justice, arbitrary, contrary to the p Act and offends Article 14 and 300-A of Constitution of India and consequentially to and to pass....."

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2. Brief facts of the case are that the petitioner's forefathers, their family members rendering Archakatvam service in and around Markapuram Town including in Sri Lakshmi Chennakesava Swamy Vari Devasthanam situated in

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Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh on 20 December, 2024
Markapuram Village and Mandal, Prakasam District. The petitioner's forefathers acquired an extent of Ac 6.09 cents in survey No.1133 of Markapuram Village and Mandal, Prakasam District and they have been enjoying the same. The old revenue records such as 1A account, dealing with rights registers shows the petitioner's name as Pattadar, 1B adangal and RSR, Village Account No.3, Adangal, etc., also shows his father's name and great grandfather (mother side) as Pattadar and the subject land is patta land. The revenue authorities gave Pattadar pass books in the year 2010 is in favour of the petitioner for the land presently holding Ac 4.09 cents in survey No.1133 of Markapuram Village and Mandal, similarly adangals for the year 1407, 1403, etc., also shows the name of the petitioner as Pattadar. It is stated that during the year 2016 the National Highway Authorities have acquired land vide award 5/2016 dated 08.03.2016 belonging to the petitioner, covering subject land to an extent of AC 0.68 cents for the purpose of formation of highway and paid compensation vide cheque dated 28.05.2016. All the revenue records, for the last several decades showing either petitioner father's name, thereafter his name as Pattadar of the subject land and they have been in possession and enjoyment of the same.

While so, the 3rd respondent has issued notice dated 18.10.2024 to the person who earlier looking after the lands of the petitioner's namely

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A.Narayana S/o. Chennakesavulu resident of Markapuram u/s 83(2) of A.P. Charitable and Hindu Religious and Endowments Act as amended by Act 36/2023 calling upon him to explain as to why he should not be evicted. It appears that the 3rd respondent has passed final order since the said person do not have any interest and did not respond to the said notice vide Rc.No.

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Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh on 20-December, 2024
Lands-12/2024, dated 25.11.2024 passed u/s 83(2) of Endowments Act as amended by Act 36/2023. In the said order, it is stated that the subject land covering the said notice admeasuring Ac 1.25 cents in survey no.1133 of Markapuram Village is a service Inam meant for Chinna Purohityam service in 3rd respondent temple and it is provided in the record of the temple. Surprisingly the Executive Officer of 3rd respondent failed to verify the records or physical possession to identify the person actually holding the subject property and passed orders as against the third parties who are unconcerned, inspite of their being lot of revenue records showing petitioner's name, his father's name and other family members name earlier for the last several decades without prejudice. The contention of the petitioner that it is their absolute property and civil court alone is the competent forum and that, having referred to in the notice that the subject land is service Inam, the 3rd respondent cannot invoke section 83, or at least to invoke section 77. As such, the order under challenge is without jurisdiction section of law and competence. Hence, the present writ petition.

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3. Heard Sri V. Venugopala Rao, learned Senior Counsel representing Sri V.V.N.Narasimham, learned counsel appearing for the petitioner and learned Government Pleader for Endowments appearing for the respondents.

4. On hearing, learned Senior Counsel while reiterating the contents made in the petition, submits that, for last several decades, the petitioner has been enjoying the subject lands. All the revenue records also indicate that the petitioner is the Pattadar for the subject land, and he has been in occupation and enjoyment. In any event, the petitioner cannot issue notice to the person unconcern and pass orders for eviction invoking section 83 which has no

application for the present case issue, the 3rd respondent, if any, got any grievance, should approach the competent civil Court, but cannot invoke section 83 of the Act. He further submits that, as section 83 has no application, had the 3rd respondent issued notice to the petitioner, he would have explained how the course initiated u/s 83 is not applicable, which is in gross violation of principles of natural justice. Learned Senior Counsel further submits that the impugned order came to be passed for eviction and handing over the lands by third parties to the 3rd respondent temple. The petitioner does not fall within the definition of encroacher. He further submits that, as the petitioner is the owner of subject land, the 3rd respondent has no competence to issue notice u/s 83, particularly in case of patta lands. The documents behind the petitioner's back, if any, cannot take away their right to enjoyment on subject lands shall not get altered such entries. Therefore, the impugned order dated 25.11.2024 is without jurisdiction, in gross violation of

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principles of natural justice and depriving right to property as provided under Article 300-A of Constitution of India, and hence, it is liable to be set aside.

5. Per contra, learned Government Pleader for Endowments has furnished a copy of instructions received from the Executive Officer, Sri Lakshmi Chennakesava Swamy Temple, Markapur, Prakasam District (which is received though a Phone message from the office of the Standing Counsel for Endowments), and submits that, in view of the fact that, the subject land is an Inam land, the alienation of any Inam land is prohibited U/s.75 of the Endowments Act 30/87 without the prior sanction of the Government and hence the petitioner has got no right over the subject land. He further submits that 3rd respondent initially issued a show cause notice dated 18-10-2024, to

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Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh on 20 December, 2024

the person in occupation of the said land i.e., Akula Narayana S/o.

Chennakesavulu and subsequently passed Eviction Orders as stipulated

U/Sec.83(2) of the Endowments Act 30/87, as Amended through Amended

Act 36/2023 published in A.P. Gazette Part IV-B Extraordinary No.36 dated

27-10- 2023 intimating him that the subject property is temple land meant for

Chinna Purohitham services of temple and requested him to explain within 7

days from the date of receipt of the notice as to why he should not be treated

as encroacher U/Sec.83(2) of the Endowments Act 30/87 and shall not

remove from occupation of the said property and if he has any explanation to

offer in that regard, he should submit the same within 7 days along with

documentary evidence, if any, in his support. Further it was clarified in the

order that if he has no explanation to offer in that regard, he should vacate the

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premises of the schedule mentioned property within 7 days and shall

handover the vacant possession of the same to the Executive Officer of the 3rd

respondent temple. As per instructions, he further submits that, the said Akula

Narayana refused the said notice and did not issue any reply and hence the

3rd respondent Executive Officer passed the Impugned Eviction orders dated

25-11-2024, requesting the said Akula Narayana to remove his encroachment

and handover possession to the temple within 15 days from the date of receipt

of the orders. He submits that the said Akula Narayana received the said

orders on 27.11.2024, against which, the present writ petition has been filed

by the petitioner, who is third party. In fact, the petitioner has to approach the

A.P., Endowments Tribunal, by way of an Appeal U/s.83(6) against the

Eviction Orders, if he had got any grievance, and further, he can file a

declaration O.A., U/s.87(1) of the Endowments Act 30/87 before the said

Tribunal, if he is claiming that it is not the temple property. But without availing

the alternative statutory remedy, he has straight away approached the Hon'ble Court, wherein the disputed questions of fact could not be decided under writ proceedings. Therefore, learned Government Pleader prays to dismiss the writ petitions.

6. Perused the material on record.

7. On a perusal of the impugned order, it is observed that, as per temple records, the subject land of Ac 6.09 cents in Survey No.1133 of Markapuram Town, Prakasam District, is basically an Inam land meant for getting done Chinna Purohitham Services in the temple, which is clearly borne

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out by the Approved Property Registers under Sections 38, 43 and 43(10) of the Act. Further the Re-Survey Settlement Register pertains to said survey number clearly shows that the said land is meant for Chinna Purohitham Services in the temple. The entries in the Record of Holdings being maintained by the Sub Registrar, Registration and Stamps Department, Govt. of A.P. also clearly shows that it is a temple service land.

8. It is further mentioned that the Government Amended Inams Abolition (Conversion into Ryotwari) Act 1956 through Amended Act 16/2013, by inserting specific provisions to the effect that the temple is only entitled for Ryotwari patta for any service Inam lands and whatever the pattas got by the servicedars or their alienees are null and void and no effect shall be given to such pattas granted and no person other than the servicedar is entitled to continue in such land and any other person in any capacity in possession of such land shall be deemed to be an encroacher.

9. Sec. 75 of the Endowments Act 30/87, prohibits the alienation of any Inam land meant for the services in the temple without the prior sanction of the Government. Section 75 reads as under:

Section 75 : Lease, sale of Inams to be void in certain cases - 1) Any Lease and any Gift, Sale, Exchange or Mortgage of an Inam land granted for the support of maintenance of Charitable or Religious Institution or Endowment or for the performance of the Religious or Public Charity or service, shall be null and void unless any such transaction not being a gift is effected with the prior sanction of Government.

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10. Further as per the explanation (i) of Sec.83(5) of the Endowments Act 30/87(As Amended through the Amended Act 36/2023, dated 27-10-2023) the expression encroachment means every activity by a person or group of persons without any lawful entitlement and with a view to illegally take possession of lands, buildings or property of an Endowment Institution:

- (a) Occupy the said lands, buildings or property without the approval of the Competent Authority sanctioning lease / mortgage / License or continued occupation of land, buildings or property after expiry or cancellation of the Lease/ mortgage or License permission in respect thereof.
- (b) Enter into or create illegal tenancies or lease and Licenses, Agreement of any instrument of title in respect of such property.
- (c) Construct unauthorized structures thereon, for sale or hire or for his/her own use and includes an attempt to encroach in the manner indicated above.

(ii) The term encroacher shall be construed accordingly.

(iii) This shall be in addition to provisions herein above contained empowering the removal of encroachment in the matter provided in this section.

11. As such, occupation of Sri Akula Venkateswarlu, S/o. Balaiah is encroachment since it is an Endowment land meant for Chinna Purohitham services in the temple of Sri Lakshmi Chennakesava Swamyvari Devasthanam, Markapuram Town and Mandal, Prakasam District.

12. It is pertinent to mention here that Section 77 of the Andhra

Pradesh Charitable Hindu Religious Institutions and Endowments Act 30/87,

reads asunder:

77. Resumption of Inam Lands.

(1) The Revenue Divisional Officer may, either suo motu or on the application of a trustee of a charitable or religious institution or endowment or of the Commissioner or any person having interest in the institution or endowment authorised by the Commissioner, order, resume the whole or any portion of any such inam land referred to in Section 7 or any of the following grounds namely

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(i) that the holder of the inam has effected a transaction which is null and void under Section 75;

(ii) that the charitable or religious institution or endowment has ceased to be a charity or service has become impossible of performance;

(iii) that the holder of such inam land has failed to perform or make the necessary arrangements for performing, in accordance with the custom or usage of the institution or endowment, the charity or service for the performance of which the inam land was granted.

(2) (a) Before passing an order under sub-section (1), the Revenue Divisional Officer shall give notice to the trustee, to the Commissioner, to the holder of the inam land, to the person in possession of the inam land where he is not the holder thereof and to the owner of any, of the inam land and also publish a copy of the notice in such manner as may be prescribed, which publication shall be deemed to be sufficient notice to every other person likely to be affected by such order; and consider the objections, if any, after holding an inquiry as may be prescribed.

(b) Where only a portion of the inam land is affected, notice shall be given under clause (a) to the holder of such portion as well as to the holder or holders of the whole or portions to the person in possession of every such portion, where he is not the holder thereof, and to the alienee, if any, of every such portion and the objections of all such persons shall be considered by the Revenue Divisional Officer.

(3) A copy of every order passed under sub-section (1), shall be communicated to each of the persons mentioned in sub-section (2) and shall be published in the manner prescribed.

(4) (a) Where any inam land or portion thereof is resumed under this section, the Revenue Divisional Officer shall, by order, grant a ryotwari patta in respect of the portion thereof to the charitable or religious institution concerned; and where the order is made on the ground specified in item (ii) of Sub-section (1) to any such charitable or religious institution as the Commissioner may recommend.

(b) The order, granting the ryotwari patta under clause (a) shall, on application, be executed by the Revenue Divisional Officer within the time prescribed by him in accordance with such rules as may be made in this behalf.

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(5) Pending the resumption of an inam land or portion thereof under this section ground specified in item (iii) of sub-section (1), the Revenue Divisional Officer may person in possession of the inam land or portion thereof, to pay to the trustee, the expenses incurred or likely to be incurred for the performance of the charity or service to the or endowment. In default of such payment, the Revenue Divisional Officer may pass an order or make such arrangement as he considers necessary for the performance of the charity service; and the expenses incurred therefor shall be recovered from the person in possession of the inam land or portion thereof, as if they were arrears of land revenue.,

13. Section 87 of The Andhra Pradesh Charitable and Hindu Religious

Institutions and Endowments Act, 1987 (in short 'the Endowments Act'), which reproduced hereunder:

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87. [Power of Endowments Tribunal to decide certain disputes and matters. [Substituted by Act No. 33 of 2007, dated 11.12.2007.]

(1) The Endowments Tribunal having jurisdiction shall have the power, after giving notice in the prescribed manner to the person concerned, to enquire into and decide any dispute as to the question.

(a) whether an institution or endowment is a charitable institution or endowment;

(b) whether an institution or endowment is a religious institution or endowment;

(c) whether any property is an endowment, if so whether it is a charitable endowment or a religious endowment;

(d) whether any property is a specific endowment;

(e) whether any person is entitled by custom or otherwise to any honor, emoluments or perquisites in any charitable or religious institution or endowment and what the established usage of such institution or endowment is in regard to any other matter;

(f) whether any institution or endowment is wholly or partly of a secular or religious character and whether any property is given wholly or partly for secular or religious uses; or

(g) where any property or money has been given for the support of an institution or endowment which is partly of a secular character and partly of a religious character or the performance of any service or charity connected with such institution or endowment or the performance of a charity which is partly of a secular character and partly of a religious character or where any property or money given is appropriated partly to secular uses and partly to religious uses, as to what portion of such property or money shall be allocated

to secular or religious uses;

(h) whether a person is a founder or a member from the family of the founder of an Institution or Endowment.

(2) The Endowments Tribunal may, pending its decision under subsection (1), pass such order as it deems fit for the administration of the property or custody of the money belonging to the institution or endowment.

(3) The Endowments Tribunal may while recording its decision under subsection (1) and pending implementation of such decision, pass such interim order as it may deem fit for safeguarding the interest of the institution or endowment and for preventing damage to or loss or misappropriation or criminal breach of trust in respect of the properties or moneys belonging to or in the possession of the institution or endowment.

(4) The presumption in respect of matters covered by Clauses (a), (b), (c), (d) and (e) in sub-section (1) is that the institution or the endowment is a public one and that the burden of proof in all such cases shall lie on the person claiming the institution or the endowment to be private or the property or money to be other than that of a religious endowment or specific endowment, as the case may be.

(5) Notwithstanding anything contained in the above sub sections the Deputy Commissioner having jurisdiction shall continue to enquire into and decide the

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disputes referred to in sub-section (1) until the constitution of the Endowments Tribunal.]

14. Section 88 of The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 the Right of appeal against the decision of the Endowments Tribunal under Section 87. [Substituted by Act No. 33 of 2007, dated 11.12.2007.]

"Any person aggrieved by the decision of the Endowments Tribunal under Section 87 and Section 119 may, within ninety days from the date of receipt of the decision prefer an appeal to the High Court."

15. As per Section 87 and 88 of the 'Endowments Act', it is very clear that the Endowments Tribunal having jurisdiction shall have the power, after giving notice in the prescribed manner to the person concerned, to enquire

into and decide any dispute as to the question. Such exercise could not be done in the instant case. The learned Government Pleader for the respondents vehemently argued that the petitioner is an encroacher earlier in respect of the land in Sy.No.189 to an extent of Ac. 1.00 cents and he himself willing to pay damages and lease permission request, other remaining extent in Sy.No.189 was under encroachments and filed O.As before the Tribunal, which are pending. Therefore, it is contended that the writ petition is not maintainable under Article 226 of the Constitution.

16. The main scope of Article 226 of the Constitution of India is reproduced hereunder:

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(1) Notwithstanding anything in article 32, every High Court shall have power, throughout the territories in relation to which it exercises jurisdiction, to issue to any person or authority, including in appropriate cases, any Government, within those territories directions, orders or writs including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, or any of them, for the enforcement of any of the rights conferred by Part III and for any other purpose.

(2) The power conferred by clause (1) to issue directions, orders or writs to any Government, authority or person may also be exercised by any High Court exercising jurisdiction in relation to the territories within which the cause of action, wholly or in part, arises for the exercise of such power, notwithstanding that the seat of such Government or authority or the residence of such person is not within those territories.

(3) Where any party against whom an interim order, whether by way of injunction or stay or in any other manner, is made on, or in any proceedings relating to, a petition under clause (1), without-

(a) furnishing to such party copies of such petition and all documents in support of the plea for such interim order; and

(b) giving such party an opportunity of being heard, makes an application to the High Court for the vacation of such order and furnishes a copy of such application to the party in whose favour such order has been made or the counsel of such party, the High Court shall dispose of the application within a period of two weeks from the date on which it is received or from the date on which the copy of such application is so furnished, whichever is later, or where the High Court is closed on the last day of that period, before the expiry of the next day afterwards on which the High Court is open; and if the application is not so disposed of, the interim order shall, on the expiry of that period, or, as the case may be, the expiry of the said next day, stand vacated.

(4) The power conferred on a High Court by this article shall not be derogation of the power conferred on the Supreme Court by clause (2) of article 32."

17. In the instant case, the petitioner has not preferred any Appeal before the learned Tribunal in respect of subject land, so far and further the petitioner is now questioning the action of the 3rd respondent where under stated that to vacate the subject land since it is an Endowment land meant for Chinna Purohitham services in the temple of Sri Lakshmi Chennakesava Swamyvari Devasthanam, Markapuram Town and Mandal, Prakasam District, which is not maintainable by invoking under Article 226 of the Constitution of India as contended by learned Government Pleader for the respondents.

18. Section 83 of the Endowments Act deals with eviction of encroachment, which reproduced hereunder:

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"83. Encroachment of land, building, or any property belonging to a charitable or religious institution or endowment and the eviction of encroacher:- (1) Notwithstanding anything to the contrary contained in this Act or other law for the time being in force, the encroachment of land, building, or any property of a charitable or religious institution or endowment is prohibited.

(2) The Executive Officer of the Charitable or Religious Institution or Endowment the Assistant Commissioner or any authority higher in rank thereof, shall, by notice require the encroacher to remove the encroachment as hereinafter provided:

Provided that the encroacher shall be entitled to submit reply/ explanation to such notice within one week from the date of receipt of such notice, which shall be duly considered and appropriate orders thereon shall be passed:-

(a) Either withdrawing the notice issued and dropping further proceedings; or
(b) Affirming the notice and duly stipulating the time within which such encroachment shall be removed.

(3) If the encroacher fails to remove the encroachment within such stipulated period the authority who issued the notice shall remove the encroachment with police assistance, if necessary and recover the cost of removal from the encroacher.

(4) For the purpose of securing police assistance, the authority concerned shall approach the jurisdictional Superintendent of Police/ Commissioner of Police who

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Iruvanti Murali Krishna Murthy vs The State Of Andhra Pradesh on 20 December, 2024

shall thereupon provide such police assistance as is deemed necessary for the removal of encroachment.

(5) Any act of encroachment including the attempt to encroach shall be a cognizable offence, non-bailable and triable as a warrant case, in accordance with the provisions of Code of Criminal Procedure, 1973, punishable with imprisonment for a term which shall not be less than three years but which may extend to eight years and with fine which may extend to Rupees one lakh.

....."

19. And also 84 of the Endowments Act provides mode of eviction on failure of removal of the encroachments as directed by the Endowments Tribunal. [Substituted by Act No. 33 of 2007, dated 11.12.2007.]

(1) Where within the period specified in the order under sub-section (4) of Section the encroacher has not removed the encroachment and has not vacated the land, building or space, the Assistant Commissioner having jurisdiction over the subdivision may remove the encroachment and obtain possession of the land, building or space, encroached upon, taking such police assistance as may be necessary. Any Police Officer whose help is required for this purpose shall be required to render necessary help to the Assistant Commissioner.

(2) Nothing in sub-section (1) shall prevent any person aggrieved by any order of the Endowments Tribunal under sub-section (4) of Section 83 from preferring an appeal before the High Court to establish that the Charitable and religious Institution or Endowment has no title to the land, building or space:

Provided that no appeal shall be preferred after expiry of ninety days from the date of receipt of the order under sub-section (4) of Section 83:

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Provided further that no such appeal shall be preferred by a person who is let in possession of land, building or space, or who is a lessee, licensee or mortgagee of the Institution or Endowment.]

20. As seen from the material available on record and also considering the submissions of both the learned counsels, it appears that there is a dispute involved in between the petitioner and 3rd respondent with regard to the subject land. The petitioner has not chosen to approach Endowments Tribunal for redressal of his grievance, where similar matters are being pending therein. Since the 3rd respondent is claiming that the subject land as

their land, the issue falls within the jurisdiction of the Endowments Tribunal as per the 'Endowments Act'. An appeal lies against the Award passed by the 'Endowments Tribunal' under Article 226 of the Constitution of India.

Therefore, the relief sought for by the petitioner in the instant case is not comes under purview of under Article 226 of the Constitution of India, therefore, this writ petition is not maintainable.

21. Therefore, it is suffice it, to issue a direction to the petitioner to approach learned Endowments Tribunal for redressal of his grievance in accordance with law, within four (04) weeks from the date of receipt of a copy of this order. On such submission, the learned Endowments Tribunal is directed to protect the interest of the petitioner till disposal of Interlocutory Application filed by the petitioners in O.A. Till then, the respondents a directed not to take any coercive steps against the petitioner in respect of the subject land.

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22. With the above directions, both the Writ Petitions are disposed of. There shall be no order as to costs.

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

DR. K. MANMADHA RAO, J.

Date : -12-2024

Gvl

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P 27

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF JULY

TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 26301 OF 2023



Between:

1. Dr. Alla Prameela Devi, W/o. Saidulu, Aged about 68 years, R/o. DNo. 13-12-7, 14th Ward, Gundapuvuri Veedhi, Chirala, Bapatla District.
2. Maddirala Lakshmi, W/o. Sambasiva Rao, Aged about 73 years, R/o. 1st Floor, R.K. Towers, Prakash Nagar, Tenali, Guntur District.

...PETITIONERS

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Endowments Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam, Simhachalam, Visakhapatnam District, A.P., Rep. by its Executive Officer.

...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 a Writ, Order or direction more particularly one in the nature of mandamus, declaring the action of the 2nd respondent in interfering with the petitioners' peaceful possession and enjoyment of House plots, bearing Nos. 129, an extent of 267 sq.yds. and Plot Nos. 166 and 167, an extent of 534 sq.yds (total. 801 sq.yds) of land (belonging to the 1st petitioner) and Plot No. 128, an extent of 267 sq.yds. (belonging to the 2nd petitioner), plots situated in Sy. Nos. 142/4A and 4B, 149/1 and 156/2 of Adavivaram Village, Visakhapatnam Rural Mandal, Visakhapatnam District,

172 (185)

as illegal, arbitrary, violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the 2nd respondent to refrain from doing so.

IA NO: 1 OF 2023

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 2nd respondent, not to interfere in any manner, whatsoever, with the petitioners' peaceful possession and enjoyment of their House plots, bearing Nos.129, an extent of 267 sq.yds. and Plot Nos.166 and 167, an extent of 534 sq.yds (total. 801 sq.yds) of land (belonging to the 1st petitioner) and Plot No.128, an extent of 267 sq.yds. (belonging to the 2nd petitioner), plots situated in Sy.Nos.142/4A and 4B, 149/1 and 156/2 of Adavivaram Village, Visakhapatnam Rural Mandal, Visakhapatnam District, pending disposal of writ petition.

Counsel for the Petitioner: SRI V SURYA KIRAN KUMAR

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

**Counsel for the Respondent No.2: SRI JAGADISH KUMAR BATCHU, SC
FOR ENDOWMENTS**

The Court made the following: ORDER



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

[3310]

TUESDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 26301 OF 2023

Between:

Alla Prameela Devi and Others

...PETITIONER(S)

AND

The State of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. V SURYA KIRAN KUMAR

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

2. JAGADISH KUAMAR BATCHU

The Court made the following:

ORDER:-

The grievance of the petitioners is that the 2nd respondent/ temple is interfering with the possession and enjoyment of their house plots.

2. Heard Mr. V. Surya Kiran Kumar, learned counsel for the petitioners and learned Government Pleader, Endowments for the respondents.

3. During hearing learned counsel for the petitioners submitted that the 2nd respondent visited the subject land on 15.09.2023 and orally informed that

124 (187)

the subject land belongs to the temple and directed the petitioners to vacate the premises, without issuing any notice. The petitioners informed them that the same is Zeroyiti land and not Inam land of the 2nd respondent and that, despite this fact, the petitioners had applied for regularization thereof and that money was also collected by the Devasthanam towards the regularization charges. It is further submitted that the matter is squarely covered by order of this Court in W.P.No.29773 of 2018, dated 05.05.2023 and hence requested to pass similar order in this writ petition.

4. However, there is a serious dispute involved in between the petitioners and 2nd respondent with regard to title over the subject plots. In such circumstances, the remedy lies before Endowments Tribunal.

5. In view of the same, the Writ Petition is disposed of, while granting liberty to the 2nd respondent/ temple to approach the Endowments Tribunal for redressal of its grievance with regard to title over the subject plots. Till then, the respondents are directed not to interfering with the possession and enjoyment of the petitioners over the subject plots.

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

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

eo
SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The Executive Officer, Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam, Simhachalam, Visakhapatnam District, A.P.

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3. One CC to Sri V. Surya Kiran Kumar, Advocate [OPUC]
4. One CC to Sri Jagadish Kumar Batchu, SC for Endowments[OPUC]
5. Two CCs to GP for Endowments, High Court of Andhra Pradesh. [OUT]
6. Three CD Copies.

ssb

189

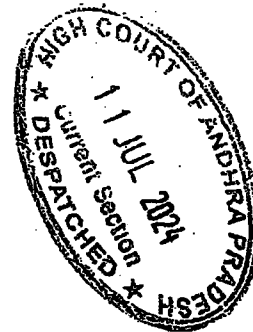
189

HIGH COURT

DATED:02/07/2024

ORDER

WP.No.26301 of 2023



DISPOSING OF THE W.P. WITHOUT COSTS

- 60 -

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10-10-68

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675. 5. 1955

Figure 3: A graph showing the relationship between the number of nodes (n) and the number of edges (m) for a connected graph. The x-axis is labeled 'n' and ranges from 1 to 10. The y-axis is labeled 'm' and ranges from 0 to 10. The graph shows a series of points connected by lines, forming a curve that starts at (1,0) and increases as n increases.

संख्या ३४६००० र ३५१०००

[illegible]

జిల్లా: Guntur

Number: ఒకటో భాగం

Fasali: 1371

రిజిస్టర్ తాలూకా సర్వే నంబరు : 675

Nemalipuri village settlement registrar

S.No.	పొలము యొక్క సర్వే నెంబరు, సబ్ డివిజన్	పుంజ		పుంజ		సిస్టా /పెరసి	మార్కులు
		విస్తీర్ణము	Land Tax	విస్తీర్ణము	Land Tax		
1.	249/1	0-30	0-5		0-66	0-5	
		19-44	21- 14		42-59	21-14 22-3	
	2A	8-72					43-23
	2B	10-72	19- 10 23-				
Total	11-02	23-53	48				

05-1-2011
TAHSILDAR
RAJUPALEM MANDAL
Guntur Dist.

193

District : Guntur

Number: 1 part

Fasali: 1371

Patta Number: 675

Nemalipuri village settlement registrar

S.No.	Survey No. Sub Division	Dry		Wet		Total Land Tax	Remarks
		Extent	Land Tax	Extant	Land Tax		
1.	249/1	0-30	0-5		0-66	0-5	43-23
		19-44	21-14		42-59	21-14	
	2A	8-72	19-10			22-3	
	2B	10-72	23-48				
Total	11-02	23-53					

S. No. 165 of 2011

C. No. 182 of 2011

P29



194

7987 7987
20.06.11. ఆంధ్రప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH
20.06.11. 20.06.11. 20.06.11. 20.06.11.

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S.V. TANGEDUMALLI
TANGEDUMALLI - 523 304
Cell : 98851 26618

certified Xerox copy of Memorandum of Association and Rules and Regulations of Sri Kodandarama Swamy Devalaya Abhinavula Sangham, Kota Venkateswara, Reg. No. 225 of 2010

Sheet No. of Corrections in Xerox copy of the document NR 9

మొదటి అసెంబ్లీ ఆర్డర్

1. సంఘము పేరు : (గ్రా) కోదండరామ స్వామి దేవాలయ అభివృద్ధి సంఘం

2. చిరునామా : కోటనేమల ప్రాంతం, రాజుపాడెం (మండలము) -
గుంటూరు (జిల్లా)

3. ఆశయములు:

1. సభ్యులలో క్రమ శిక్షణ మరియు వికాసమునకు కృషిచేయుట.
2. సామాజిక నిర్మాణమునకు దేశ సామాజ్యమునకు సర్వసమాభావ సంకల్పితమైన వ్యవస్థను నెలకొల్పుటకు సభ్యులందరు కృషి చేయుట.
3. సాంస్కృతిక కార్యక్రమములు మరియు లలిత కళలను ప్రోత్సహించి వాని అభివృద్ధికి కృషి చేయుట.
4. దేవాలయములు, ఆశ్రమములు, సత్సంగముల స్థాపనకు మరియు మతసామరస్యమునకు కృషిచేయుట.
5. వయోజన పాఠశాలలు, బాల్యాడీ కేంద్రములను స్థాపించి వాటి అభివృద్ధికి కృషిచేయుట.
6. స్త్రీలకు కుట్టు, లలిత కళలకు కుటీర పరిశ్రమలను స్థాపించి వాటి అభివృద్ధికి కృషిచేయుట.
7. మనో వికాసమునకు (తల్లిదండ్రుల సహకారముతో) పాఠశాలను నిర్వహించుట.
8. గ్రామములో గ్రంథాలయములను స్థాపించి విజ్ఞానాభివృద్ధికి కృషిచేయుట.
9. వరకట్న నిషేధము, వర్ణాంతర వివాహములను ప్రోత్సహించుటకు కృషిచేయుట.
10. కుటుంబ నియంత్రణ కార్యక్రమమును ప్రోత్సహించుటకు కృషిచేయుట.
11. వ్యవసాయము, పశుపోషణ, పాడి, కోళ్ళ, మత్స్య పరిశ్రమలలో శిక్షణనొందుటకు వాని అభివృద్ధికి కృషిచేయుట.
12. ప్రాథమిక, మాధ్యమిక, ఉన్నత మరియు సాంకేతిక విద్యా సంస్థల స్థాపనకు మరియు తద్వారా విద్యాభివృద్ధికి కృషిచేయుట.
13. వృక్షములు నాటు కార్యక్రమమును చేపట్టి తద్వారా వృక్ష సంపద అభివృద్ధికి కృషిచేయుట.
14. గ్రామములో గృహ నిర్మాణము, రోడ్లు, జలవనరుల అభివృద్ధి, విద్యుత్, పారిశుధ్య కార్యక్రమములను నిర్వహించుటకు కృషిచేయుట.
15. వికలాంగులకు ఆశ్రమ పాఠశాలలను నెలకొల్పి వారి సంక్షేమమునకు తోడ్పడుట.
16. గ్రామములో వైద్య సౌకర్యములు కల్పించుట ద్వారా ప్రజల, పశువుల ఆరోగ్య పరిరక్షణకు తోడ్పడుట.

సర్టిఫికేట్

1. ఈ సంఘములోని సభ్యులు ఏలాంటి ఆందోళనా కార్యక్రమములలో పాల్గొనరని సర్టిఫై చేయడమైనది.
2. ఈ సంఘ సభ్యులు ఈ సంఘమును వ్యాపార సరళిలో యోగ్యులు చేయబడలేదని సర్టిఫై చేయడమైనది.
3. ఈ సంఘ సభ్యులు ఏలాంటి పారిశోధికమును పొందరని సర్టిఫై చేయబడమైనది.

హైదరాబాద్
ప్రెసిడెంటు

Sheet No. of Corrections in Xerox copy of the document One only

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SOCIETY NO. 92-10082 SHEETS
CONTAINS 3 SHEETS
PAGE 2 OF 3 SHEET

REGISTERED

SECRET

(Under Ontario Council Societies Registration)

Act 25 of 1901
I hereby certify that John Ashada of St. John's
St. John's has this day been admitted to the order
under the Act of 1901.
I Given and sealed at St. John's this 1st day of June 1932.
John Ashada Secretary

Office of the Registrar of Societies
and Registrar of Companies
NARASARAOPET
Microscope Registration Division
NARASARAOPET

4-22-30 30-6-200

130/6

No of. Society.....225 of.....2016

Name of Society: ಶ್ರೀ ಆನಂದಮಠ ಸಿಕ್ರಿಸ್ ಬೆಂಚರ್
ಮಂಜೇರಿ, ಹುಬ್ಬಳ್ಳಿ

Association. *Memorandum of*

Date of 30-6-2000

District Registrar
Narasaraopet

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30 Sheet No of Corrections in Xerox copy of the endorsement *pnj*

శ్రుత పాఠక వర్ణము

వ.నెం.	పేరు	తండ్రి/భర్త పేరు	వసోదా	వృత్తి	చిరునామా
1.	ఘోష సులత గారెడ్డి నాథ	సోతానామిరెడ్డి ప్రసాదెంట్లు	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
2.	దాదా చెన్నారెడ్డి	పంకజమ్మరెడ్డి వైస్ ప్రెసిడెంట్లు	వ్యవసాయం	విశాఖపట్నం	విశాఖపట్నం
3.	అన్నపూరెడ్డి అంజనేయమ్మ	నామనా అంజనేయమ్మ	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
4.	దేవిరెడ్డి పెద్దరెడ్డి	పెదకాండారెడ్డి జాయింట్లు	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
5.	వల్లెల సీతమ్మ	ముచ్చారెడ్డి త్రిజయం	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
6.	దాదా రఘునాథరెడ్డి	ప్రయోగరెడ్డి మెంబరు	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
7.	అన్నపూరెడ్డి లూతరెడ్డి	పావారెడ్డి మెంబరు	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
8.	పల్లె శివారెడ్డి	లక్ష్మీరెడ్డి	వ్యవసాయం	విశాఖపట్నం	విశాఖపట్నం
9.	దేశిరెడ్డి శ్రీనివాసరెడ్డి	సైదారెడ్డి	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
10.	దుర్గమ్మ పుంజుకూలం	నాగరెడ్డి	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం
11.	ఘోష నామ-రెడ్డి	శివారెడ్డి	విశాఖపట్నం	విశాఖపట్నం	విశాఖపట్నం

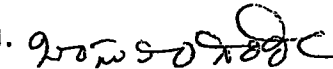
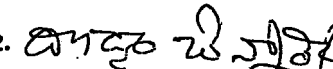
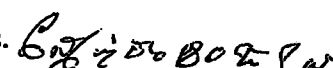

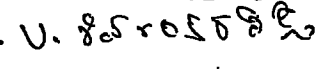
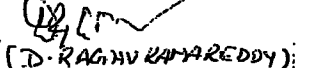
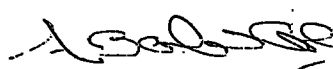
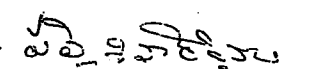
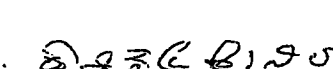
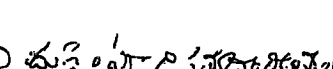

ప్రెసిడెంట్లు

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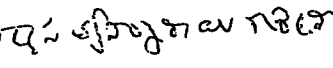
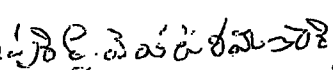
Sheet No. 10 Corrections in Xerox copy of the document

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2. ఈ మెమోరాండము ననుసరించి ఈ క్రింది సంతకములు చేసిన మేము 2001వ సంవత్సరము సెక్షన్ 35 యాక్టు ననుసరించి ఒక సంఘముగా ఏర్పడి సదరు సంఘమును నిజపురు చేయగోరు చున్నాము.

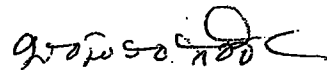
వ.నెం.	సంతకము	హాదా	వృత్తి	చిరునామా
1.		ప్రెసిడెంటు	అసిస్టెంట్	రాజ్ కుమారి
2.		వైస్ ప్రెసిడెంటు	వ్యవసాయం	"
3.		సెక్రటరీ	"	"
4.		జాయింట్ సెక్రటరీ	"	"
5.		ట్రెజరరు	"	"
6.	 (D. RAGHAV KUMAR REDDY)	మెంబరు	అసిస్టెంట్	"
7.		మెంబరు	ఉద్యోగ	"
8.		"	వ్యవసాయం	"
9.		"	"	"
10.		"	"	"
11.		"	"	"

సాక్షి సంతకములు:

వ.నెం.	సంతకము	తండ్రి పేరు	వృత్తి	చిరునామా
1.		కల్యాణ్	ప్రొఫెసరు	కామరూపం
2.		సుబ్బారావు	"	"

స్థలము : రాజ్ కుమారి పురి

తేది : 28-6-2010


ప్రెసిడెంటు

1. సంఘము పేరు

శ్రీ శ్రీ దం ౬ రామ స్వామి దేవాలయ అభివృద్ధి సంఘం

2. చిరునామా

శ్రీ లక్ష్మీమ అప్పరి, రాజు పాలెం (మండలం)

3. సభ్యత్వము

గుంటూరు (జిల్లా)

గ్రామీణ పరి గ్రామీణునిది.

చెందినవారు

ఎవరైనను సభ్యులుగా చేరవచ్చును. సభ్యత్వ రుసుం నెలకు రూ.10/-
విధిగా చెల్లించ వలయును.

4. సభ్యత్వమునకు అనర్హులు

1. విభేత పూర్వకముగా రాజీనామా ఇచ్చినవారు.
2. వరుసగా మూడు సమావేశములకు హాజరు కాని వారు.
3. కార్యవర్గముచే తొలగింపబడిన వారు.
4. సంవత్సర చందా చెల్లించని వారు ఈ సంఘ సభ్యత్వమునకు అనర్హులు.

5. మహాజన సభ విధులు

1. ప్రతి సంవత్సరము నెలలో ఈ సమావేశము జరుగును.
2. కార్యవర్గ సభ్యులను ఎన్నుకొనుట.
3. సంఘము వార్షిక నివేదికను ఆమోదించుట.
4. ఆడిటరును నియమించుట.
5. సాధారణ సమావేశమునకు 7 రోజులు వ్యవధితోను, ప్రత్యేక సమావేశమునకు 3 రోజుల వ్యవధితోను నోటీసు సభ్యులకు జారీ చేయబడును.
6. రాబోవు సంవత్సరమునకు బడ్జెటు తయారు చేయుట.

6. జనరల్ బాడీ:

1. 3వ నిబంధన ప్రకారం చేరిన ప్రతి సభ్యునికి ఓటింగు హక్కు కలదు.
2. జనరల్ బాడీ ప్రతి సంవత్సరములకు ఎన్నిక ద్వారా కార్యవర్గమును ఎన్నుకొనవలెను.
3. జనరల్ బాడీ సమావేశము ప్రతి సంవత్సరము నెలలో జరుపుకొనవలెను.
4. ప్రతి నెలకు ఒక పర్యాయము సమావేశము జరుపవలెను.
5. సంఘము యొక్క బడ్జెటును ప్రతి సంవత్సరము ఒకసారి జనరల్ బాడీ సమావేశములో చర్చించి ఆమోదించవలెను.
6. జనరల్ బాడీ 3/5 వంతు సభ్యులు ఆమోదించిన ఏరూలు అయిననూ మార్పుకొనుటకు జనరల్ బాడీకి అధికారము కలదు.
7. సంఘము తరుపున అన్ని విషయములను పర్యవేక్షించుటకు సమీకరించుటకు జనరల్ బాడీకి అధికారము కలదు.

హైదరాబాద్
ప్రెసిడెంటు

64

200

225 210 32
7
Ex

295 90th
Name of Soldier ~~George Washington~~ 2053
Branch ~~Co. 1st~~
Rank ~~Private~~
Service ~~1st~~
Regiment ~~1st~~
Serial ~~2053~~

Date of 30-6-2010

District Registrar
Narasaraopet

~~30/6~~

Sheet No of Corrections in Xerox copy of the endorsement

(1) one only ✓

కార్యవర్గము

ఈ వర్గపు ఎన్నికలు సెప్టెంబర్ 5 సంవత్సరములకు ఒకసారి జరుగును. ఈ వర్గములో 11 ఎం.సి. సభ్యులుందురు. ఈ సభ్యులలో ఒక ప్రెసిడెంటు, ఒక వైస్ ప్రెసిడెంటు, ఒక సెక్రటరీ, ఒక జాయింట్ సెక్రటరీ, ట్రెజరరు మరియు 6 ఎం.సి. రు కార్యనిర్వాహక సభ్యులుందురు. నెలకొకసారి అయిననూ ఈ వర్గపు సమావేశములు జరుపబడును. 4గురు పాలకవర్గ సభ్యులు విభేద పూర్వకముగా కోరినచో కార్యనిర్వాహక వర్గ ప్రత్యేక సమావేశము జరుపబడును. మధ్యలో కార్యవర్గములో ఖాళీ ఏర్పడిన సదరు ఖాళీని కో-ఆప్షన్ ద్వారా భర్తీ చేయబడును. సంఘ ఆశయములకు వ్యతిరేకముగా ప్రవర్తించు సభ్యులను సంఘ సభ్యత్వము నుండి బహిష్కరించు అధికారము ఈ వర్గమునకు కలదు. సంఘ నియమ నిబంధనలలో మార్పులు, కూర్పులు వగైరా చేయవలసి వచ్చినప్పుడు కార్యవర్గము ముందుగా అట్టివి చేసి తరువాత జరుగబోవు మహాజన సభ యొక్క ఆమోదము పొంద వలెను. సంఘమునకు రావలసిన మొండి బాకీలను రద్దుచేయు అధికారము కలదు.

8. కార్యవర్గ అధికార సభ్యుల విధులు:**1. ప్రెసిడెంటు :**

సంఘము తరుపున అన్ని సమావేశములందు కార్యవర్గ సమావేశములకు అధ్యక్షత వహించుటకు తీర్మానము గానీ, నవరణలు గానీ, జనరల్ బాడీ ముందు పెట్టుటకు ప్రెసిడెంటుకు హక్కు కలదు. బ్యాంకు నుండి డబ్బు తీయుటకు ట్రెజరర్ తో జాయింట్ అకౌంటు కలిగి ద్రా చేయవచ్చును.

2. వైస్ ప్రెసిడెంటు :

ప్రెసిడెంటు లేని సమయములలో సమావేశములకు అధ్యక్షత వహించుట, సమావేశములను నిర్వహించుటకు వైస్ ప్రెసిడెంటుకు హక్కు కలదు.

3. సెక్రటరీ :

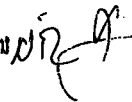
సంఘ సమావేశములు ఏర్పాటు చేయుట, సమావేశములలో జరిగినవన్నియూ పుస్తకములో పుడహరించి వాటినిన్నంటినీ అమలు జరుపుట. సంఘ సిబ్బందిని క్రమ వద్దతిలో నడిపించుట, సంఘమునకు సంబంధించిన వ్యవహారములన్నింటినీ నివేదిక రూపములో సమావేశముల కందించుట మొదలగు అధికారములు కలిగియుండును. సంఘమునకు వచ్చే చందాలు, దాతల నుండి వచ్చు విరాళములు, ప్రభుత్వ, వివిధ సంస్థల నుండి వచ్చు గ్రాంట్లు వాటిని వాటిని తీసుకొని, హానిలో అత్యవసర ఖర్చుల నివి త్రము తన వద్ద రూ. 100/-లు పుంచుకొని మిగిలిన పైకము బ్యాంకులందు భద్రపరచవలెను. డబ్బు తీసుకొనునప్పుడు చెక్కులపై కార్యదర్శి, సంయుక్త కార్యదర్శి సంతకములు చేసి తీసుకొనవలెను. సంఘ రాబడులను, ఖర్చులను వివరముగా వ్రాసి సాంవత్సరిక మహాజన సభయందుంచి రాబోవు సాంవత్సరిక బడ్జెటు తయారు చేసి ఆమోదింప చేయవలెను.

4. జాయింట్ సెక్రటరీ :

సెక్రటరీ లేని సమయములందు సెక్రటరీ హోదాలో సంఘ కార్యక్రమములన్నింటినీ జరుపుచుండును.


ప్రెసిడెంటు





5. ట్రైజర్

1. సంవత్సరాంతమున లెక్కలను నిర్దేశించు సంఘము ముందు వుంచుట.
2. సభ్యుల యొక్క సభ్యత్వ రుసుము వసూలు చేయుటకు హక్కు కలదు.
3. ప్రెసిడెంటు యొక్క జాయింటు అకౌంటులో బ్యాంకులోని లావాదేవీలు జరుపుటకు హక్కు కలదు.
4. సంఘము యొక్క సభ్యత్వ రుసుము చెల్లించని యెడల ఏ సభ్యుడినైననూ సంఘము నుండి తొలగించుటకు హక్కు కలదు.

6. కార్యవర్గ సభ్యులు :

సంఘము సమావేశములో పాల్గొని ఓటు హక్కును వినియోగించుకొనుటకు, కార్యవర్గము అప్పగించిన బాధ్యత నిర్వహించుట.

7. కోరం:

మహాజనసభకు 2/3 వంతు కార్యవర్గ సమావేశములకు 2/3 వంతు మంది సభ్యులు హాజరు అయినచో కోరమగును. కోరముగానీ సమావేశము వాయిదా వేయవచ్చును. అటుల రెండుసార్లు వాయిదా వేయబడిన సమావేశము మూడవసారి కోరంతో నిమిత్తము లేకుండా జరుపవచ్చును.

8. కోర్టు వ్యవహారములు:

సంఘమునకు సంబంధించిన కోర్టు వ్యవహారములను కార్యదర్శి చూచుచుండును.

9. ఆస్తులు:

సంఘమునకు సంబంధించిన సంఘము యొక్క నిధులకు, స్థిర, చరాస్తులకు సంరక్షకుడిగా శెక్రటరీ వుండును.

10. నిధులు:

సంఘమునకు సంబంధించిన సంఘము యొక్క నిధులను సంఘ అశయములకు అనుగుణంగా మాత్రమే వినియోగించవలెను. ఏ సభ్యుని యొక్క స్వప్రయోజనమునకు ప్రత్యక్షముగా గాని లేక పరోక్షముగా గానీ ఏ రూపములోను వినియోగించరాదు.

11. సాంవత్సరిక జమా ఖర్చులు:

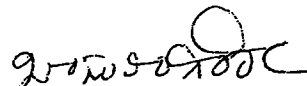
జమా ఖర్చులు జనవరి నెల నుండి డిశంబరు నెల వరకు వ్రాయబడును.

12. సవరణలు:

సంఘము యొక్క నియమ నిబంధనలలో మార్పులు, సవరణలు, కూర్పులు, వగైరా చేయవలసినవచ్చినప్పుడు అట్టి వానికి అందు నిమిత్తమై ఏర్పాటు కాబడిన ప్రత్యేక సమావేశమునకు మొత్తము సభ్యులలో 3/5 వంతు సభ్యులచే ఆమోదించబడి దాని అనంతరము జరగబోవు మహాజన సభకు హాజరైన సభ్యులలో 3/5 వంతు సభ్యులచే ధృవ పరచబడినప్పుడు ఆ మార్పులు మార్చబడవలెను.

13. రద్దు:

ఏ కారణము చేతనైనను ఈ సంఘమును రద్దు చేయవలసి వచ్చిన యెడల అట్టి చర్య 35 ఆఫ్ 2001 సంవత్సరపు సాసైటీ రిజిస్ట్రేషన్ చట్టము సెక్షన్ 24 మరియు 25 ప్రకారము సంఘమునకు ఆ రోజున నిలిచి యున్న అప్పలు పోను మిగిలిన ఆస్తులను ఈ అశయములు గల వేరొక సంఘమునకు చెందునట్లు 3/5 వంతు సభ్యులచే ఆమోదించబడి సంక్రమింప చేయవలెను.


ప్రెసిడెంటు

14. వ్యక్తిగత అభిప్రాయము :

ఏ సభ్యుడైనను వ్యక్తిగత అభి ప్రాయములను సభయందు వుంచవలెను. అట్టి వానిని సమావేశమునకు రెండు రోజుల ముందుగా లిఖిత పూర్వకముగా కార్యదర్శికి అందచేసిన యెడల వాటిని సమావేశములో చర్చించబడే ఎజెండాతో బాటు కార్యదర్శిచే "మినిట్సు ఫున్క్చము" నందు వ్రాయబడి అధ్యక్షునిచే సంతకము చేయబడవలెను.

15. సభాధ్యక్షుడు / సభాధ్యక్షురాలు :

అధ్యక్షుడు, ఉపాధ్యక్షుడు/రాలు హాజరు కాని సమయములో సభ్యులచే ఎన్నుకొనబడిన వ్యక్తి ఆసభకు మాత్రమే అధ్యక్షుడుగా నుండును. ఈ సమావేశములందు జరుగు అంశములన్నియు సాధారణ సమావేశములందు జరుగు అంశముల వలన పరిగణింపబడును.

16. ఆస్థుల నష్టములు :

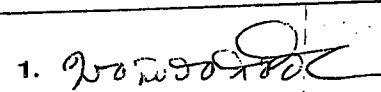
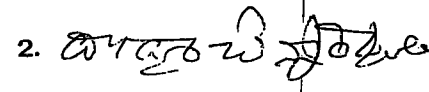
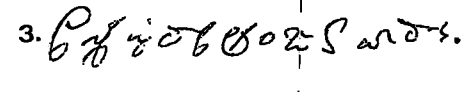
ఏ సభ్యుడైనను సంఘ ఆస్థులకు నష్టము కలిగించిన అట్టి సభ్యుడు కార్యవర్గముచే విధించిన నష్టపరిహారము చెల్లించవలెను.

17. ఆడిట్ :

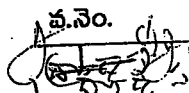
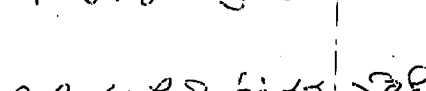
ఈ సంఘమునకు సంబంధించిన లెక్కలను సంవత్సరాంతమున ఆడిటరుచే ఆడిట్ చేయించవలెను.

పై నిబంధనలు

యొక్క నిబంధనలు సరైన నిబంధనలకు సరైన నకలు అని ఈ క్రింది సంతకములు చేసిన మేము ధృవపరచుచున్నాము.

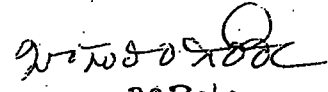
వ.నెం.	సంతకము	హాదా	వృత్తి	చిరునామా
1.		ప్రెసిడెంటు	బీజేపీ	రెడ్డి హిల్స్, ఆదిలాబాద్
2.		వైస్ ప్రెసిడెంటు	బీజేపీ	1, 1
3.		సెక్రటరీ	1, 1	1, 1


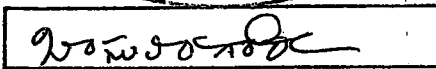
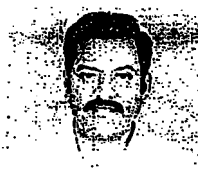
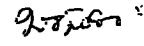
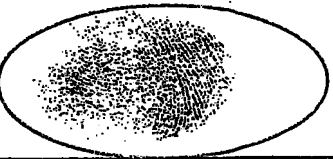
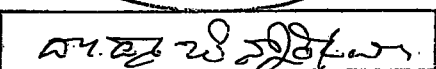



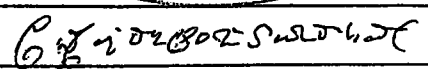

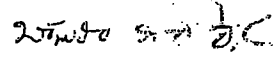
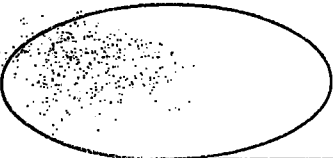
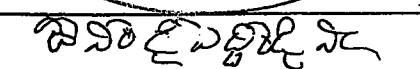

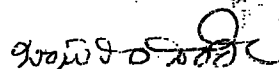
సాక్షి సంతకములు :

వ.నెం.	సంతకము	తండ్రి పేరు	వృత్తి	చిరునామా
1.		వినాయకం	ప్రొఫెసరు	బీజేపీ, ఆదిలాబాద్
2.		సుబ్బారెడ్డి	వ్యాపారి	కొటనెమలపూరి

స్థలము: కొటనెమలపూరి

తేది : 28-6-2010


ప్రెసిడెంటు


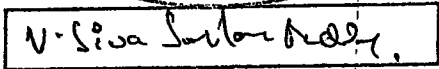



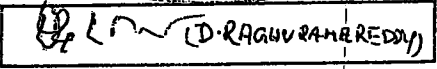

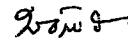

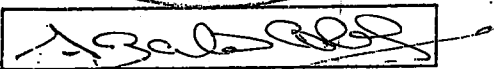



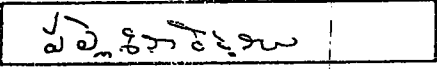

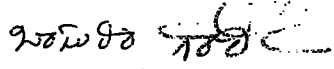
Sl. NO.	FINGER PRINT IN BLACK INK (LEFT THUMB) & SIGNATURE	NAME & PERMANENT POSTAL ADDRESS	PASSPORT SIZE PHOTOGRAPH BLACK & WHITE
	 		 
	 		 
	 		 
	 		 

SIGNATURE OF WITNESSES

1. వాడపర్తి సత్యనారాయణం
2. రిజిస్ట్రార్ వైస్ చీఫ్ కమిషనరీ

SIGNATURE OF OFFICE BEARER / MEMBER

1. వాడపర్తి సత్యనారాయణం
2. వాడపర్తి సత్యనారాయణం
3. రిజిస్ట్రార్ వైస్ చీఫ్ కమిషనరీ
4. డివిజన్ డిప్యూటీ కమిషనరీ




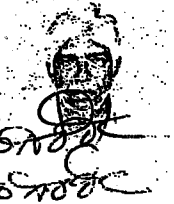

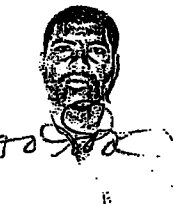
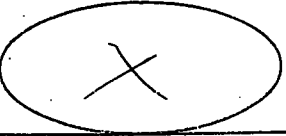
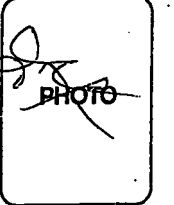
SI. NO.	FINGER PRINT IN BLACK INK (LEFT THUMB) & SIGNATURE	NAME & PERMANENT POSTAL ADDRESS	PASSPORT SIZE PHOTOGRAPH BLACK & WHITE
	 	<p>OFFICE BEARER / MEMBER</p> <p>V. Siva Subramanyam</p>	 
	 	<p>D. Raghunath Reddy</p>	 
	 	<p>N. Subramanyam</p>	 
	 	<p>P. Venkatesh</p>	 

SIGNATURE OF WITNESSES

1. శా. డి. ఎస్. కృష్ణారావు గారితో
2. ఆంధ్రప్రదేశ్ విశ్వవిద్యాలయం

SIGNATURE OF OFFICE BEARER / MEMBER

1. V. Siva Subramanyam
2. D. Raghunath Reddy
3. N. Subramanyam
4. P. Venkatesh

SI. NO.	FINGER PRINT IN BLACK INK (LEFT THUMB) & SIGNATURE	NAME & PERMANENT POSTAL ADDRESS	PASSPORT SIZE PHOTOGRAPH BLACK & WHITE
	 ಹೆ ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ	ಹೊಸಕೋಟೆ	
	 ಬಿ.ಎಸ್.ಎಸ್. ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ	ಹೊಸಕೋಟೆ	
	 ಬಿ.ಎಸ್.ಎಸ್. ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ	ಹೊಸಕೋಟೆ	
	 X	ಹೊಸಕೋಟೆ	

SIGNATURE OF WITNESSES

1. ಶಾ.ಬಿ.ಎಸ್. ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ
2. ಬಿ.ಎಸ್.ಎಸ್. ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ

SIGNATURE OF OFFICE BEARER / MEMBER

1. ಹೆ ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ
2. ಬಿ.ಎಸ್.ಎಸ್. ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ
3. ಬಿ.ಎಸ್.ಎಸ್. ಶಶಿ ರತ್ನ ಪ್ರಸಾದ್ ಶೆಟ್ಟಿ
- 4.

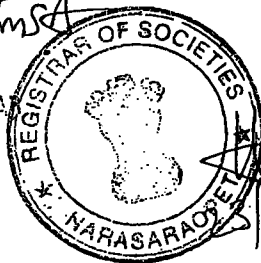
13th amp
Total

Sheet No. of Corrections in Xerox copy of the document

Sheet No. of Corrections in Xerox copy of the document

Compared by: S. Padma Prasad
Examined by: V. H. S. S. S.

OFFICE OF THE DISTRICT REGISTRAR
NARASARAOPET.



Registrar of Societies
and District Registrar
Narasaraopet Registrar on District
NARASARAOPET.

5/6/11

Memorandum of Association.

1. Name of the society: Sri.Kodandara Rama Swamy Devaalaya Development Society.
2. Address: Kotanemalipuru, Rajupalem Mandalam, Guntur District.
3. Items:
 - 1) Members should maintain discipline and be unity.
 - 2) To establish a system that is conducive to the welfare of all for the construction of a new India and the prosperity of the country.
 - 3) To encourage the cultural programmes and fine arts and to develop them.
 - 4) To maintain Temples, Inns, and to maintain caste discriminations.
 - 5) To establish elders schools, Balwadi centers and to develop those.
 - 6) To establish and develop the stitching centers to woman, and small scale industries and to delop.
 - 7) To organize sport competitions to mental retorded.
 - 8) To establish library in the village to improve the knowledge.
 - 9) To remove the dowry prohibition, and to encourage the inter caste marriages.
 - 10) To work for family planning.
 - 11) To give training to encourage cultivation, cattle nutrition, dairy forms, fish industries.
 - 12) To develop the education by allotting the seats for local students in elimentarym intermediate and higher education by establishing education institutes.
 - 13) T plant trees to develop the trees.
 - 14) To organize the house construct, roads, water resources, electricity, sanitation in the village.
 - 15) To establish disability inns for disables and to work for their welfare.
 - 16) To provide medicl aid in the village for protection of people and cattle.

CERTIFICATE.

1. This to certify that, the members of society should not participate in any agitation programmes.

2. The members of society did not assigned the society for business.

3. The members of society should never get to bribe.

List of Present Executive body:

S.No.	Name	Father's name	Designation	Occupation	Address
1.	Basu Linga Reddy	Sita Rami Reddy	President	Business	Kotanemali Puri (v), Raju Palem Mandal.
2.	Dodda Chena Reddy	Venkateswara Reddy	Vice-President.	Cultivation	Do
3.	Annapureddy Anjaneya Reddy	Rama Koti Reddy	Secretary	Cultivation	Near temple, Kotanemali Puri (v), Raju Palem Mandal
4.	Devireddy Peddi Reddy	Peda Konda Reddy	Joint-Secretary	Cultivation	-Do-
5.	Vallela Siva Sankara Reddy	Subba Reddy	Treasurer	Cultivation	-Do-
6.	Dogga Raghu Rami Reddy,	Brahma Reddy,	Member	Business	-Do-
7.	Annapureddy Bali Reddy	Papi Reddy	Member	Employee	Near temple, Kotanemali Puri (v), Raju Palem Mandal
8.	Palle Siva Reddy	Lakshmi Reddy	Member	Cultivation	-Do-
9.	Desireddy Srinivasa Reddy	Saida Reddy	Member	-Do-	-Do-
10.	Duggempudi Satyannarayana	Nagi Reddy	Member	-Do-	-D-

	Reddy				
11.	Basu Ramanjaneya Reddy	Siva Reddy	Member	-Do-	Anakatta Bazaar, Kotanemali Puri (v), Raju Palem Mandal

Sd/- Basu Linga Reddy.

2. We, the undersigned, hereby agree to form a society and register it under Section 35 of the Act, 2001.

S.No.	Name	Father's name	Designation	Occupation	Address
1.	Basu Linga Reddy	Sita Rami Reddy	President	Business	Kotanemali Puri.
2.	Dodda Chena Reddy	Venkateswara Reddy	Vice-President.	Cultivation	Kotanemali Puri.
3.	Annapureddy Anjaneya Reddy	Rama Koti Reddy	Secretary	Cultivation	Kotanemali Puri.
4.	Devireddy Peddi Reddy	Peda Konda Reddy	Joint-Secretary	Cultivation	Kotanemali Puri.
5.	Vallela Siva Sankara Reddy	Subba Reddy	Treasurer	Cultivation	Kotanemali Puri.
6.	Dogga Raghu Rami Reddy,	Brahma Reddy,	Member	Business	Kotanemali Puri.
7.	Annapureddy Bali Reddy	Papi Reddy	Member	Employee	Kotanemali Puri.
8.	Palle Siva Reddy	Lakshmi Reddy	Member	Cultivation	Kotanemali Puri.
9.	Desireddy Srinivasa Reddy	Saida Reddy	Member	-Do-	Kotanemali Puri.
10.	Duggempudi Satyannarayana Reddy	Nagi Reddy	Member	-Do-	Kotanemali Puri.
11.	Basu Ramanjaneya Reddy	Siva Reddy	Member	-Do-	Kotanemali Puri.

Signatures of witnesses:

S.No.	Name	Father's name	Occupation	Address
1.	Dodda Satyanarayana Reddy	Veera Reddy	Cultivation	Kotanemalipuri.
2.	Annapureddy Venkata Ramana Reddy	Subba Reddy	Cultivation	-Do-

Place: Kotanemalipuri
Dt: 28.06.2010.

Sd/- Basu Linga Reddy.

Rules:

1. Name of the society: Sri.Kodandara Rama Swamy Devaalaya Development Society.
2. Address: Kotanemalipuru, Rajupalem Mandalam, Guntur District.
3. Membership: Any person who is residing at Kotanemalipuri village have right to join as members and the membership fee Rs.10/-

4. Non Eligibility for member:

- 1) Resigned letter given in written.
- 2) Who are absenting for 3 meetings continuously.
- 3) Members who are expelled from the executive body.
- 4) Who did not pay the early membership, those are ineligible for membership.

5. Functions of the Mahajana Sabha:

- 1) Evert tear in the month of April the society meeting will be held.
- 2) Election of committee members.
- 3) Approval of the annual report of the association.
- 4) Appointment of an auditor.
- 5) Notice of a general meeting shall be issued to the members within 7 days and of a special meeting within 3 days.
- 6) Preparing a budget for the coming year

6) General Body:

- 1) According to Article 3, every member who joins has the right to vote.

- 2) The General Body shall elect the Executive Committee through elections every five years.
- 3) The General Body Meeting shall be held in the month of April every year.
- 4) Once in a month meeting shall be held.
- 5) The budget of the association shall be discussed and approved once a year at the general assembly meeting.
- 6) The General Body has the power to change any rules approved by 3/5 of the members of the General Body.
- 7) The General Body has the authority to coordinate and oversee all matters on behalf of the Society.

7) Executive Members:

The General Body shall elect the Executive Committee through elections every five years, in this committed 11 members are there. In the members, 1 president, 1 vice president, 1 secretary, 1 joint secretary, Treasurer and 6 executive members, rbrninh onvr in s month, the executive committed shall be held. The general body meeting shall be held if 4 executive members seek in written, if 4 executive members submitted in written the meeting shall not be held. Meanwhile if any vacancy in executive committee, the same will be fulfilled through co-option. This association has the authority to expel members who act contrary to the aims of the association. When changes, amendments, etc. are required to be made in the rules and regulations of the association, the executive committee should first make such changes and then obtain the approval of the Mahajana Sabha to be held. The association has the power to cancel outstanding debts.

8) Powers and duties of Executive Members:

1) President:

President has right to held all meetings on behalf of Association, at the capacity of President, to take decisions. Modifications, keeping before the general body meeting. He has to withdraw money from bank along with treasures.

2) Vice President:

In the absence of President, he has right to held meetings.

3) Secretary:

Organizing a meeting of the church leaders, recording everything that happened at the meeting in a book,

implementing all of it, and leading the church staff in an orderly manner. He shall have the powers to present all the matters related to the association in the form of a report to the meetings, etc. He shall take the contributions received by the association, donations received from donors, grants received from the government and various organizations, and keep Rs. 100/- as an amount for emergency expenses, and the remaining money shall be kept in the bank. When took the money, he took the signatures of the secretary and joint secretary. The income and expenditure of the society should be recorded in detail and an annual budget should be prepared and submitted for approval at the annual general meeting.

4. Joint Secretary:

In the absence to Secretary, at the capacity of Secretary he has to conduct all meetings.

5) Treasurer:

1. He has to put the yearly budget before the association.
2. He has right to collect the membership fee.
3. He has right to make transactions in the account of President,.
4. He has right to expel the members who did not paid their membership.

6) Executive Members:

They have to participate in executive body meeting and availed to cast their vote, and to fulfill the duties endorsed to them.

7) Coram:

If 2/3 members of members attended to the Mahajana Sabha, it is called as Coram, if the Coram the meeting will be adjourned, if 22 time it was adjourned, on 3rd occasion the meeting will be held without Coram.

8) Court matters:

The secretary has to look after court matter relating to the Association.

9) Properties:

The secretary has to look after all funds, movable and immovable properties of the Association.

10) Funds:

Funds relating to the Association, It should not be used for any purpose other than its intended purpose, and should not be used in this form, either directly or indirectly, for the personal benefit of any member.

11) Yearly income and expenditure:

From the month of January to December should be enter about income and expenditure.

12) Amendments:

According to rules of the Association, if any changes, amendments and additions etc. took place, all should be approved by the 3/5 members from all members, then it should be approved in Mahajana Sabha about the changes and it should be changed.

13) Cancellations:

In case of dissolution of this society for any reason whatsoever, the society shall be dissolved in accordance with Sections 24 and 25 of the Societies Registration Act, 2001, and the debts of the society as on that date shall be discharged and the remaining assets shall be transferred to another society having the same composition as the society with the approval of 3/5th of the members.

14) Independent Opinion:

Each and every opinion of member should kept before meeting, if it submitted in written to the secretary before 2 days, it should be kept along with Agenda and will be written in minits book and it should be signed by the president.

15) Speaker:

If the president did not attend for the meeting, the person who was elected by members has to act as president, this meeting should be treated as general meeting.

16) Loss of properties:

If any members caused loss to the properties of the Association, he has to pay the loss sustained to the Association.

17) Audit:

Audit should be conducted every years ending , according to the above rules, the same is attended by us and certifying the same.

S.No.	Signature	Designation	Occupation	Address
1.	Basu Linga Reddy	President	Business	Kotanemalipuri village.
2.	Dodda Chenna Reddy	Vice President	Cultivation	-Do-
3.	Annapureddi Anjaneya Reddy	Secretary	-Do-	-Do-

Signatures of witnesses:

S.No.	Signature	Father's name	Occupation	Address
1.	Dareddy Satyanarayana Reddy	Veera Reddy	Cultivation	Kotanemalipuri village.
2.	Annapureddy Venkata Rami Reddy	Subba Reddy	-Do-	-Do-

Place: Kotanemalipudi,
Dt.28.06.2010.

Sd/- Basu Linga Reddy,
President.

PHOTOGRAPHS AND FINGER PRINTS AS PER SECTION
A.P.SOCIETIES REGISTRATION ACT.2001.

S.No.	Finger Print in Black ink (Left Thumb) & Signature	Name & Permanent Postal Address	Passport size photograph Black & white.
1.	LTI of Basu Linga Reddy	Office Bearer / Member	Photo of Basu Linga Reddy.
2.	LTI of Dodda Chenna Reddy	Office Bearer / Member	Photo of Dodda Chenna Reddy
3.	Annapureddy Anjaneya Reddy	Office Bearer / Member	Photo of Annapureddy Anjaneya Reddy.
4.	Devireddy Pedda Reddy	Office Bearer / Member	Photo of Devireddy Pedda Reddy

Signatures of witness:

1. Dodda SATyanarayana Reddy.
2. Annapureddy Venkata Rami Reddy.

Signatures of Office Bearers/Members.

1. Basu Linga Reddy.
2. Dodda Chenna Reddy.
3. Annapureddy Anjaneya Reddy.
4. Devireddy Peddi Reddy.

**PHOTOGRAPHS AND FINGER PRINTS AS PER SECTION
A.P.SOCIETIES REGISTRATION ACT.2001.**

S.No.	Finger Print in Black ink (Left Thumb) & Signature	Name & Permanent Postal Address	Passport size photograph Black & white.
1.	LTI of V.Siva Sankar Reddy	Office Bearer/Member	Photo of V.Siva Sankar Reddy.
2.	LTI of D.Raghu Rami Reddy	Office Bearer/Member	Photo of D.Raghu Rami Reddy
3.	xxxxxx	Office Bearer/Member	Photo of xxxxxxxx
4.	LTI of Palle Siva Reddy	Office Bearer/Member	Photo of Palle Siva Reddy

Signatures of witness: **Signatures of Office Bearers/Members.**

- | | |
|---|---|
| 1. Dodda SATyanarayana Reddy.
2. Annapureddy Venkata Rami Reddy. | 1. V.Siva Sankar Reddy.
2. D.Raghu Rami Reddy,
3. xxxxxxxxx
4. Palle Siva Reddy. |
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ఆంధ్రప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

CV 392824

24/3/2022

Rs.100/- SRI KODANDARAMASWAMY TEMPLE TRUST -
KOTA NEMALIPURAM Rep by its Chairman
DODDA RAGHU RAMAREDDY, S/O BRAHMAREDDY,
- NARASARAOPET;

Ch. Mounika
CHINTALA MOUNIKA
Licenced Stamp Vendor
R L.No.07-31-022/2022
Kesanupalli (V),
Cell 9177700484

TRUST DEED

SRI KODANDARAMASWAMY TEMPLE TRUST

This deed of Trust of SRI KODANDARAMASWAMY TEMPLE TRUST is declared on this 09-December-2022 by the following Heirs of the Founder Trustees.

1. SRI. DODDA RAGHU RAMAREDDY, S/O BRAHMAREDDY, AGED 80 YEARS, RESIDENT OF NARASARAOPET;
2. SRI. DODDA KRISHNA REDDY, S/O KOTI REDDY, AGED 72 YEARS, RESIDENT OF HYDERABAD;
3. SRI. ANNAPUREDDY BALI REDDY, S/O PAPAIAH REDDY, AGED 69 YEARS, RESIDENT OF HYDERABAD;
4. SRI. BASU VENKATA RAMIREDDY, S/O LINGAREDDY, AGED 40 YEARS, RESIDENT OF SATTENAPALLI;
5. SRI. DODDA CHENNA REDDY, S/O VENKATESWARA REDDY, AGED 58 YEARS, RESIDENT OF KOTA NEMALI PURI;

1. దొడ్డ రాఘవ రామారెడ్డి

1. R. R.

2. దొడ్డ కృష్ణారెడ్డి

2. K. R.

3. దొడ్డ అన్నారెడ్డి

3. A. R.

4. B. R.




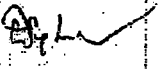


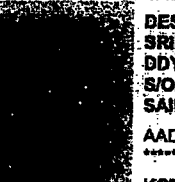
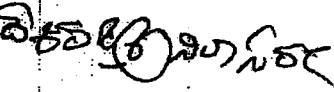


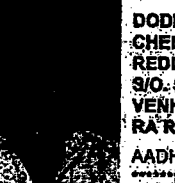
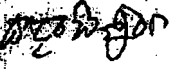


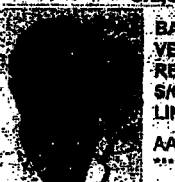
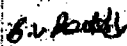
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Presentation Endorsement:

Presented in the Office of the Joint Sub-Registrar, Narasaraopet (R.O) along with the Photographs & Thumb Impressions as required Under Section 32-A of Registration Act, 1908 and fee of Rs. 500/- paid between the hours of 2 and 3 on the 09th day of DEC, 2022 by Sri Dodda Raghu Ramareddy

Execution admitted by (Details of all Executants/Claimants under Sec 32A):

SNo-Id Thumb Impression Photo Aadhar Photo Address Signature/Ink Thumb Impression

1-AR		 DODDA RAGHURAMAREDDY [0731-4-2022-200]	 NO IMAGE FOUND	DODDA RAGHURAMA REDDY (R/S) KODANDARAM ASWAMY TENPLE TRUST, KOTAN EMALIPURI REP BY CHAIRMAN DODDA RAGHURAMAREDDY REPRESENT NARASARAOP ET, PALNADU DISTRICT	
2-TE		 DESIREDY SRINIVASAREDDY [0731-4-2022-200]		DESIREDY SRINIVASAREDDY S/O. SAJDHAREDDY AADHAR-*****6224 KOTANEMALIPURI, RAJUPALEM MANDAL	
3-TE		 DODDA CHENNA REDDY [0731-4-2022-200]		DODDA CHENNA REDDY S/O. S/O. VENKATESWARA REDDY AADHAR-*****1859 KUBADPURAM KOTANEMALIPURI, GUNTUR	
4-TE		 BASU VENKATARAM REDDY [0731-4-2022-200]		BASU VENKATARAM REDDY S/O. S/O. LINGAREDDY AADHAR-*****1790. PARK ROAD, SATTEN APALLE, WARD-13, GUNTUR	

BK-4, CS No 200/2022 & Doct No 197/2022 Sheet 1 of 9
JOINT SUBREGISTRAR (R.O)
Narasaraopet (R.O)





ఆంధ్రప్రదేశ్ రాష్ట్రం ANDHRA PRADESH

CV 392825

24/3/2022

Rs.100/- SRI KODANDARAMASWAMY TEMPLE TRUST -

KOTA NEMALIPURAM Rep by its Chairman

DODDA RAGHU RAMAREDDY, S/O BRAHMAREDDY,
- NARASARAOPET;

Ch. Mounika.
CHINTALA MOUNIKA
Licenced Stamp Vendor
R.L.No.07-31-022/2022
Kesunupalli (V),
Cell 9177700484

6. SRI. BASU RAMANJANEYA REDDY, S/O SIVAREDDY, AGED 49 YEARS,
RESIDENT OF KOTA NEMALI PURI;
7. SRI. DESIREDDY SRINIVASA REDDY, S/O SAIDHA REDDY, AGED 64 YEARS,
RESIDENT OF KOTA NEMALI PURI;

WHERE AS THE ABOVE PERSONS ARE HEIRS OF THE FOUNDERS OF Sri Kodandaramaswamy Temple at KOTANEMALIPURI around 120 years back. However, they have not registered so far any trust in connection with the said Temple. They are now desirous of settling up a Charitable Trust in order to renovate and maintain the above said TEMPLE subject to the provisions hereby declared.

All the above said parties will be collectively called as the TRUSTEES which expression shall include them, the survivors of them.




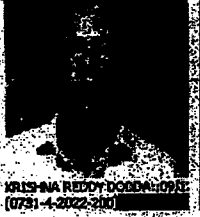


NOW THIS TRUST DEED WITNESSES AS FOLLOWS :

5. దొడ్డ రఘురామారెడ్డి
6. దొడ్డ రఘురామారెడ్డి
7. దొడ్డ రఘురామారెడ్డి


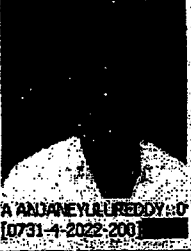
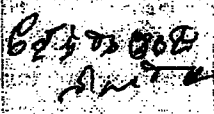
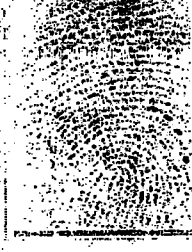
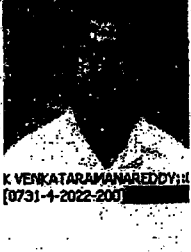
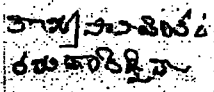
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 JOINT SUBREGISTRAR 161
 Sheet 2 of 9
 Narasaraopet (R.O)

5-TE			A BALI REDDY S/O. S/O. PAPAIAH REDDY AADHAR-*****5649 PADMANABHA NAGAR COLONY ASIF NAGAR, MENDIPATNAM HYDERABAD
6-TE			KRISHNA REDDY DODDA S/O. S/O. LATE D KOTI REDDY AADHAR-*****4689 ROAD NO-12, KHAIATAB AD, BANJARA HILL S, HYDERABAD
7-TE		 NO IMAGE FOUND	DODDA RAGHURAMA REDDY S/O. BRAHMAREDDY NRL-123456789 DOOR NO 11-13-85/2, NARASAR AOPET, PALNADU DISTRICT

Identified by Witness:

SI No	Thumb Impression	Photo	Name & Address	Signature
1			A ANJANEYULUREDDY S/O. RAMAKOTIREDDY, KOTAN EMALIPURI	
2			K VENKATARAMANAREDDY S/O CHENNAREDDY, KOTANEM ALIPURI	



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01. The name of the Trust shall be **SRI KODANDARAMASWAMY TEMPLE TRUST.**

02. That the registered office of the Trust shall be situated at Sy.NO.249-06, KOTA NEMALIPURAM VILLAGE ,KUBADPURAM SIVARU, RAJUPALEM MANDAL, PALNADU DISTRICT-522413, ANDHRA PRADESH. where the Temple is existing. Branch / administrative offices can be opened in any part of the country for the smooth functioning of the Trust.

03. This Trust is irrevocable trust.

04. This trust is a non-profitable organization.

05. The benefits of the society shall be open to all irrespective of community caste or creed etc.,

06. Date of commencement of Trust: With effect from this 09-December-2022

07. The Founder Trustees hereby declare to contribute a sum of Rs 10,116/- (Rupees Ten thousand and One hundred and sixteen only) towards Corpus Fund of this Trust.

08. That the objectives of the Trust shall be wholly for charitable and spiritual purposes and incomes shall be applied for the same and accumulated in India wholly for public & charitable purposes without prejudice to generality of provisions of this trust deed and the following shall be deemed to be the principal objectives of this trust:

- 4.1 To promote charitable, spiritual values, literature, science, art, education and culture.
- 4.2 To promote and protect Indian Traditional music, dance, bhajans, spiritual lectures, cultural programmes, national festivals and other arts.
- 4.3 To construct, maintain, alter, improve or develop any building belonging to the trust or works necessary or convenient for purpose of the trust.

5. వినయ విజయలక్ష్మి

6. వినయ విజయలక్ష్మి

7. విజయలక్ష్మి

1. B. L.

2. K. S.

3. S. S.

4. B. S.

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P. K. M. MULLAKHAN

09th day of December, 2022

Signature of JOINT SUBREGISTRAR161
Narasaraopet (R.O)

Bk - 4, CS No 200/2022 & Doct No
197/2022 Sheet 3 of 9
JOINT SUBREGISTRAR161
Narasaraopet (R.O)

Endorsement:		In the Form of						
Desc	Online	Stamp Papers	Challan u/s 41 of IS Act	Cash	SD u/s 16 of IS act	Stock Holding	DD/BC/ Pay Order	Total
SD	0	200	0	0	0	0	0	200
TD	0	NA	0	0		NA	0	0
RF	0	NA	0	500		NA	0	500
UC	0	NA	0	100		NA	0	100
TOT	0	200	0	600		0	0	800

NOTE: TD: Transfer Duty, SD: Stamp Duty, RF: Registration Fee, UC: User Charges, TOT: Total, Desc: Description

Rs. i- towards Stamp Duty including T.D under Section 41 of I.S. Act, 1899 and Rs. 500/- towards Registration Fees on the chargeable value of Rs. 10116/- was paid by the party through Cash,

P. K. M. MULLAKHAN

Signature of Registering Officer
Narasaraopet (R.O)

Date

09th day of December, 2022

1944 203 600000516

CERTIFICATE OF REGISTRATION

Registered as document No .. 197

of 2022 of Book [redacted] signed the [redacted]

Identification Number [redacted] 197

2022 for Scanning of [redacted] 2022

P. K. M. MULLAKHAN

P. K. M. MULLAKHAN
Registering Officer - 161
NARASARAOPET

CERTIFICATE OF SCANNING

The Document has been scanned with
the Identification Number 731-197/2022

P. K. M. MULLAKHAN

P. K. M. MULLAKHAN
Signature of the
Registering Officer



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4

4.4 To do any other social development programmes.

09. THE BOARD OF TRUSTEES SHALL HAVE THE FOLLOWING POWERS:

- 9.1 To manage the properties, assets and funds of the Trust, from time to time, such regulations (not being inconsistent with this deed) as they may think fit for and necessary for the purposes of such management and control or in connection with the execution of any of the subject herein contained or powers hereby vested in them and may rescind or alter any such regulation.
- 9.2 To accept donations, contributions, grants, subscription in cash or in kind from any person, company, firm, association, organizations, government, non government or semi government agencies, family Trust, or corporate bodies for furtherance and achievement of the objectives of the Trust.
- 9.3 To appoint a managing Trustee or Chief Executive Officer to carry out the Trust Activities when necessary.
- 9.4 To appoint officers and members of staff for the Trust and to prescribe their duties of service.
- 9.5 To raise loans with or without security or to invite donation and financial help.
- 9.6 To grant receipts for aid or donation received.
- 9.7 To grant Special Power of Attorney to represent the Trustees in connection with any legal or other proceedings.
- 9.8 To acquire land or building on the lease or way of purchase.
- 9.9 To compromise, compound or refer to Arbitration all actions, proceedings and disputes relating to Trust property or properties.

5. *Handwritten signature in Telugu script*

6. *Handwritten signature in Telugu script*

7. *Handwritten signature in Telugu script*

1. *Handwritten signature*

2. *Handwritten signature*

3. *Handwritten signature*

4. *Handwritten signature*

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197 12022. Sheet 4 of 9
JOINT SUBREGISTRAR161
Narasaraopet (R.O)



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- 9.10 To sell or give on rent/lease or on hire any immovable or moveable property of the Trust for some certain period (s) on such terms and conditions as the Trustees may think fit and proper from time to time.
- 9.11 To open any type of bank account (s) weather saving account, current account, fixed or otherwise, in the name of the Trust or institution (s) or programme (s) rub by the Trust with any scheduled banks (s) or post office (s) and to operate by the authorized signatory or signatories as Board of Trustees shall think fit and proper to authorize any person or persons, unless and until determined otherwise the such bank account(s) shall be opened and operated jointly with signatures of any two members of Board of Trustees. The financial year for the Trust shall be from 1st April to 31st March and the accounts of Trust or institution (s) or programme (s) rub by the Trust shall be audited yearly by the auditors b(s) or chartered accountant or a firm of chartered accountants to be appointed by the Board of Trustees and the fee for auditor(s), if paid, shall be a part of outgoing amounts from the Trust Funds.
- 9.12 To appoint lawyer, pleaders, advocates to file and defend suit or suits filed for and against the Trust and or in the name of the Trust and also file suits for financial and other disputes or dues with different parties and signed executed such application, petition documents for such proceedings and delegate powers to the officers(s), employee(s), staff(s) and Trustee(s) for such proceedings(s) as required from time to time.
- 9.13 To appoint new member or members of Board of Trustees by a resolution and to discharge any of the Trustee, who become bankrupt or acts in any manner prejudicial to the interest or objects of the Trust or is convicted of an offence involving moral turpitude or becomes of unsound mind or is otherwise unfit to continue as Trustee, by resolution passed by simple majority of members present and voting in the meeting of Board of Trustees.
- 9.14 To appoint from time to time on such terms and conditions as they may determine a Secretary, Manager, Executive Director, Director(s) and other officer(s) or members(s) of staff for carrying out the activities of the Trust and to remove at any

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4. *Handwritten signature*

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197 2022. Sheet 5 of 9
M. Narasaraopet (R.O)
JOINT SUBREGISTRAR 161



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- 9.15 It has further been decided that as and when the Trust is dissolved all the funds of the Trust shall be transferred to the other recognized Public Charitable Trust having similar objectives.
- 9.16 In case of any vacancy amongst the Trustees because of death, resignation or incapacity of any Trustee or any other cause, a new Trustee may be appointed by the continuing trustees to fill the Vacancy, if they think necessary.
- 9.17 In any meeting, the decision of majority trust members attended in that meeting shall prevail.
- 10.1 The INVESTMENTS OF THE FUNDS OF THE TRUST SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF SEC 13(1)(d) READ WITH SEC 11(5) OF THE INCOME TAX ACT, 1961.
- 10.2 THE TRUST'S NAME SHALL BE IRREVOCABLE.
- 10.3 IN THE EVENT OF DISSOLUTION OF THE TRUST, THE FUNDS REMAINING AFTER THE DISCHARGE OF ALL ITS LIABILITIES SHALL BE TRANSFERRED TO ANOTHER TRUST/SOCIETY/ASSOCIATION/INSTITUTION HAVING SIMILAR OBJECTS AND REGISTERED WITH THE COMMISSIONER OF INCOME TAX ACT U/S 12A AND U/S 80G OF THE INCOME TAX ACT, 1961.
- 10.4 AMENDMENT TO THE OBJECTS CLAUSE AND RULES AND REGULATIONS OF THE TRUST SHALL NOT BE CARRIED OUT WITHOUT PRIOR APPROVAL OF THE COMMISSIONER OF INCOME TAX."
- 10.5 NO ACTIVITIES OF THE TRUST SHALL BE CARRIED OUT ANY WHERE OUTSIDE INDIA.

5. જાતીયતા

6. ఎలెక్షన్లకు ఎలాంటి ప్రభుత్వం ఏర్పడింది?

7. ବିଶ୍ୱବିଦ୍ୟାଳୟ

1. $2R_2 \checkmark$

2. Klasse

3. 

4. B.V. Reddy

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197-2022 Sheet 6 of 9
JOINT SUBREGISTRAR 161
Narasaraopet (R.O)



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10.6 MEMBERS SHALL KEEP PROPER BOOKS OF ACCOUNTS OF THE INCOME AND EXPENDITURE OF THE TRUST WHICH SHALL BE CLOSED EVERY YEAR ON 31ST MARCH AND SHOULD BE AUDITED BY A CHARTERED ACCOUNTANT.

10.7 THE INCOME OR FUNDS OF THE TRUST SHALL BE UTILISED FOR FURTHERANCE OF THE OBJECTS OF THE SOCIETY AND NO PART OF IT SHALL BE DISTRIBUTED AMONG THE MEMBERS OF THE SOCIETY BY WAY OF PROFIT OR DIVIDEND OR OTHERWISE.

10.8 THE TRUST AND ANY MEMBER OR MEMBERS OF THE TRUST WOULD NOT ENGAGE OR INVOLVE IN ANY AGITATIONAL OR ANTI-NATIONAL ACTIVITIES OR ANY POLITICAL ACTIVITIES. AND SHOULD NOT GIVE ANY SUPPORT TO THE AGITATIONAL OR ANTI-SOCIAL ELEMENTS OR ANY POLITICAL PARTIES.

11. All matters not provided for in this Trust deed but necessary for the administration of the Trust or for giving effect to the objectives of the Trust may by resolution(s) made by the Board of Trustees carried by a special majority of two third of total number of the Trustees.

Witness.

Signature

1. *[Handwritten signature]*

1. *[Handwritten signature]*

2. *[Handwritten signature]*

2. *[Handwritten signature]*

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4. *[Handwritten signature]*

5. *[Handwritten signature]*

6. *[Handwritten signature]*

7. *[Handwritten signature]*

Prepared by

[Handwritten signature]

(SINGAM YOGANJANEYA SARMA)

DOCUMENT WRITER

NAKASARAOPET

929


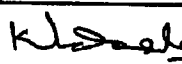


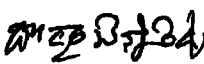
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Narasaraopet (R.O)




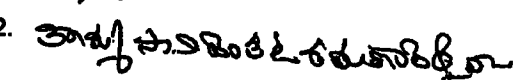
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We the under signed founder trustees, whose Names, Signatures & Addresses are affixed below re desirous of forming into a Registered Trust:

S.No	Name	Signature	Designation	Address
1.	DODDA RAGHU RAMAREDDY		CHAIRMAN	D.NO.11-13-85/2, RAMIREDDYPET, NARASARAOPET-522601 PALNADU DISTRICT, A.P
2.	DODDA KRISHNA REDDY		VICE CHAIRMAN	FLAT NO.104, PRASANTHI RESIDENCY, 8-2-674/B/3/3, ROAD NO.12, BESIDE SBI LANE, BANJARAHILLS,KHAIRATABAD, HYDERABAD-500034,TELANGANA
3.	ANNAPUREDDY BALI REDDY		SECRETARY	D.NO.12-2-715/1/2, PADMANABHA NAGAR COLONY, MEHDIPATNAM, ASIF NAGAR, HYDERABAD- 500028, TELANGANA
4.	BASU VENKATA RAMIREDDY		TREASURER	D.NO.10-7-26,PARK ROAD, SATTENAPALLI-522403, PALNADU DISTRICT, A.P
5.	DODDA CHENNA REDDY		MEMBER	D.NO.3-116, KOTANEMALIPURI, KUBADPURAM, PALNADU DISTRICT-522413, A.P

Witnesses:

Name in BLOCK letters	Signature:	Father's Name	Occupation	Address
1. 				
2. 				

Place :

Date:

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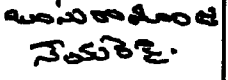
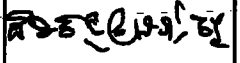
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197 2022 Sheet 8 of 9
JOINT SUBREGISTRAR 161
Narasaraopet (R.O)



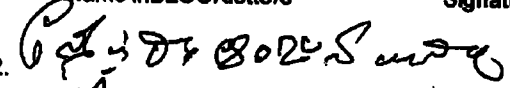
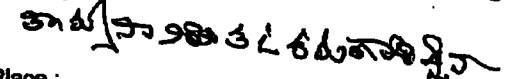
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We the under signed founder trustees, whose Names, Signatures & Addresses are affixed below re desirous of forming into a Registered Trust:

S.No	Name	Signature	Designation	Address
6.	BASU RAMANJANEYA REDDY		MEMBER	KOTANEMALI PURI, KUBADPURAM, PALNADU DISTRICT-522413,A.P
7.	DESIREDY SRRINIVASA REDDY		MEMBER	D.NO.1-71, KOTANEMALI PURI, KUBADPURAM, PALNADU DISTRICT-522413, A.P

Witnesses:

	Name in BLOCK letters	Signature:	Father's Name	Occupation	Address
1.					
2.					

Place :

Date:

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Sheet 9 of 9 JOINT SUBREGISTRAR161
Narasaraopet (R.O)









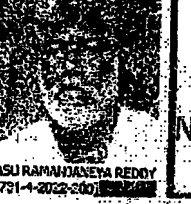
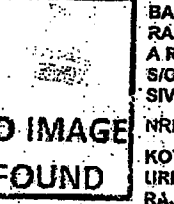



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Presentation Endorsement:

Presented in the Office of the Joint Sub-Registrar, Narasaraopet (R.O) along with the Photographs & Thumb Impressions as required Under Section 32-A of Registration Act, 1908 and fee of Rs. 500/- paid between the hours of _____ and _____ on the 08th day of DEC, 2022 by Sri Dodda Raghu Ramareddy

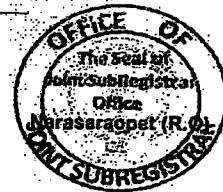
Execution admitted by (Details of all Executors/Claimants under Sec 32A):

SNo-cd	Thumb Impression	Photo	Aadhar Photo	Address	Signature/Ink Thumb Impression	
1-AR				DODDA RAGHURAMA REDDY (SRI) KODANDARAM ASWAMY TEMPLE TRUST, KOTAN ENALIPURI REP BY CHAIRMAN DODDA RAGHURAM REDDY	Signature already obtained on 09-12-2022	
		DODDA RAGHURAM REDDY (SRI) [0731-4-2022-200]	NO IMAGE FOUND	REPRESENT NARASARAOPET, PALNADU DISTRICT		
2-TE				DESIREDDY SRINIVASAREDDY S/O. SAIDHAREDDY AADHAR-*****0224 KOTANEMALIPURI, RAJUPALEM MANDAL		obtained on 09-12-2022
		DESIREDDY SRINIVASAREDDY [0731-4-2022-200]				
3-TE				BASU RAMANJANEYA REDDY S/O. SIVAREDDY NRI-123456789 KOTANEMALIPURI, RAJUPALEM MANDAL	Signature already obtained on 09-12-2022	
		BASU RAMANJANEYA REDDY [0731-4-2022-200]	NO IMAGE FOUND			
4-TE				DODDA GHENNA REDDY S/O. S/O. VENKATESWARA REDDY AADHAR-*****1859 KUBADPURAM KOTANEMALIPURI, GUNTUR	Signature already obtained on 09-12-2022	
		DODDA GHENNA REDDY (SRI) [0731-4-2022-200]				

Bk - 4, CS No 200/2022 & Doct No 197/2022 Sheet 1 of 10
 JOINT SUBREGISTRAR 161 Narasaraopet (R.O)



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MEMORANDUM OF WRIT PETITION MISC.PETITION
(Filed Under Section 151 of C.P.C.)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

I.A. No. Of 2025

In

W.P. No. Of 2025

Between:

Muppalla Balakrishna,
S/o. Radhakrishna, aged about 38 years,
R/o. Nimalipuri Village, Rajupalem Mandal,
Palnadu District, A.P.

...Petitioner

And

1. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue (Endowments) Department,
Secretariat, Velagapudi, Amaravati.
2. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue Department,
Secretariat, Velagapudi, Amaravati.
3. The District Collector,
Palnadu District, Narasaraopet.
4. The Revenue Divisional Officer,
Sattenapalli Revenue Division,
Sattenapalli, Palnadu District.
5. The Tahsildar,
Rajupalem Mandal, Palnadu District.
6. The Commissioner,
Endowments Department,
Opp. S Grand Restaurant, One Center, Gollapudi,
Vijayawada, N.T.R. District, A.P.

7. The Deputy Commissioner,
Endowments Department,
Guntur Range,
opposite Gunta Ground, Kothapeta, Guntur,
Guntur District, A.P.
8. The District Endowments Officer,
Endowments Department,
Narasaraopet, Palnadu District.
9. The Manager,
Kodandarama Swamy and Anjaneya Swamy Temple,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
10. The Director General of Police,
A.P. Police Headquarters,
Mangalagiri, Guntur District, A.P.
11. The Superintendent of Police,
District Police Office,
Narasaraopet, Palnadu District, A.P.
12. The Deputy Superintendent of Police,
Sattenapalli Sub-Division,
Sattenapalli, Palnadu District, A.P.
13. The Circle Inspector of Police,
Sattenapalli Rural Circle,
Sattenapalli, Palnadu District, A.P.
14. The Sub-Inspector of Police,
Rajupalem Police Station,
Rajupalem, Palnadu District, A.P.
15. Sri Kodandarama Swamy Temple Trust,
Rep. by its Chairman Dodda Raghurama Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
16. Sri Kodandarama Swamy Temple Trust,
Rep. by its Secretary Annapureddy Bali Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.

...Respondents

For the reasons stated in the accompanying affidavit in support of the writ petition, the petitioner herein prays that this Hon'ble Court may be pleased to pass an interim order by directing the Official Respondents not to take any coercive steps to dispossess the Petitioner from his private property in an extent of Ac.10.74 cents situated in Survey No.249/2B of Nimalipuri Village, Rajupalem Mandal, Palnadu District, until disposal of the above writ petition and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Amaravathi,

Dated: 24.04.2025.

Counsel for the Petitioner

GUNTUR :: DISTRICT

IN THE HIGH COURT OF ANDHRA
PRADESH AT AMARAVATHI

I.A. No. Of 2025

In

W.P. No. Of 2025

DIRECTION PETITION

Filed On: 24.04.2025

Filed by:

M/s Narra Srinivasa Rao (13935)
Godavarthi Kiran Babu
Mallampati Narendra Babu
Advocates

Counsel for the Petitioner

MEMORANDUM OF WRIT PETITION MISC.PETITION
(Filed Under Section 151 of C.P.C.)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

I.A. No. Of 2025

In

W.P. No. Of 2025

Between:

**Muppalla Balakrishna,
S/o. Radhakrishna, aged about 38 years,
R/o. Nemalipuri Village, Rajupalem Mandal,
Palnadu District, A.P.**

...Petitioner

And

- 1. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue (Endowments) Department,
Secretariat, Velagapudi, Amaravati.**
- 2. The State of Andhra Pradesh,
Rep. by its Prl. Secretary,
Revenue Department,
Secretariat, Velagapudi, Amaravati.**
- 3. The District Collector,
Palnadu District, Narasaraopet.**
- 4. The Revenue Divisional Officer,
Sattenapalli Revenue Division,
Sattenapalli, Palnadu District.**
- 5. The Tahsildar,
Rajupalem Mandal, Palnadu District.**
- 6. The Commissioner,
Endowments Department,
Opp. S Grand Restaurant, One Center, Gollapudi,
Vijayawada, N.T.R. District, A.P.**

7. The Deputy Commissioner,
Endowments Department,
Guntur Range,
opposite Gunta Ground, Kothapeta, Guntur,
Guntur District, A.P.
8. The District Endowments Officer,
Endowments Department,
Narasaraopet, Palnadu District.
9. The Manager,
Kodandarama Swamy and Anjaneya Swamy Temple,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
10. The Director General of Police,
A.P. Police Headquarters,
Mangalagiri, Guntur District, A.P.
11. The Superintendent of Police,
District Police Office,
Narasaraopet, Palnadu District, A.P.
12. The Deputy Superintendent of Police,
Sattenapalli Sub-Division,
Sattenapalli, Palnadu District, A.P.
13. The Circle Inspector of Police,
Sattenapalli Rural Circle,
Sattenapalli, Palnadu District, A.P.
14. The Sub-Inspector of Police,
Rajupalem Police Station,
Rajupalem, Palnadu District, A.P.
15. Sri Kodandarama Swamy Temple Trust,
Rep. by its Chairman Dodda Raghurama Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.
16. Sri Kodandarama Swamy Temple Trust,
Rep. by its Secretary Annapureddy Bali Reddy,
Kota Nimalipuri Village, Rajupalem Mandal,
Palnadu District.

...Respondents

For the reasons stated in the accompanying affidavit in support of the writ petition, the petitioner herein prays that this Hon'ble Court may be pleased to pass an interim order by suspending the impugned Eviction Proceedings vide Proceedings No.1/3/2024-Sec 83(3) eviction dated 15.04.2025 issued by the Respondents No.15 and 16 under Sec.83(3) of A.P. Endowment Amendment Act, 2023 to the Petitioner, until disposal of the above writ petition and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Amaravathi,

Dated: 24.04.2025.

Counsel for the Petitioner

G/P

GUNTUR :: DISTRICT

IN THE HIGH COURT OF ANDHRA
PRADESH AT AMARAVATHI

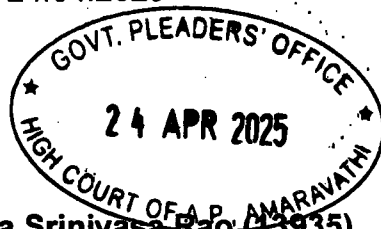
I.A. No. Of 2025

In

W.P. No. Of 2025

Rw(G)Endow/Home**SUSPENSION PETITION**

Filed On: 24.04.2025



Filed by:

M/s Narra Srinivasa Rao (13935)
Godavarthi Kiran Babu
Mallampati Narendra Babu
Advocates

Counsel for the Petitioner

9963772467.

