

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P.NO.

OF 2025

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Place: Amaravathi.

Date: 24.04.2025.

Counsel for the Petitioner/s.

MEMORANDUM OF WRIT PETITION
(Special Original Jurisdiction)
(Under Article 226 of the Constitution of India)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No.

OF 2025

Between:

K. Usha, W/o. K. Sudhakar Reddy,
Aged about 62 years, Occ: Housewife,
R/o. D.No.11-78, GK Colony, Piler,
Annamayya District, Erstwhile Chittoor District.

..Petitioner

A N D

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Endowments Department,
Secretariat Buildings, Velagapudi, Amaravati.
2. The District Collector,
Annamayya District at Rayachoty.
3. The Commissioner,
Endowments Department,
Opposite S-Grand Restaurant, One Center,
Gollapudi, Vijayawada, Krishna District.
4. The Manager,
Sri Pushpagiri Math,
D.No.42/372-4, Bhagyanagar Colony, Kadapa,
Y.S.R Kadapa District.

.... Respondents.

The address for service of all notices and process on above named petitioner is that of his counsel **Mr. SURESH KUMAR REDDY KALAVA (5903)**, Advocate, Flat No.202, E-Block, Prime Galaxy Apartments, Dolas Nagar, Tadepalli, Guntur District.

For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a writ order or direction more particularly one in the nature of the writ of mandamus by declaring the action of the respondents herein particularly Respondent No.3 in not considering the recommendations made by the 4th Respondent, Dt.07.10.2024 to accord permission to sell the lease hold property to the me to an extent of Ac.18.74 cents situated at Sy.No.707 in Yerraguntlapalli Village, Piler Mandal, Annamayya District under private negotiation as nothing but illegal, arbitrary, unjust and violation of the fundamental rights guaranteed under Articles 14, 21 and 300-A of The Constitution of India and consequently direct the Respondent No.3 to consider the recommendations made by the 4th Respondent, Dt.07.10.2024 to accord permission to sell the lease hold property to the petitioner to an extent of Ac.18.74 cents situated at Sy.No.707 in Yerraguntlapalli Village, Piler Mandal, Annamayya District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Place: Amaravathi.

Date: 24.04.2025


Counsel for the Petitioner/s.

**HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI**

W.P.NO. OF 2025

MEMORANDUM OF WRIT PETITION

Filed on:

Filed by:

**Mr. SURESH KUMAR REDDY KALAVA
(5903)**

Counsel for the Petitioner/s.

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P.NO.

OF 2025

Between:

K. Usha, W/o. K. Sudhakar Reddy

....Petitioner

AND

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Endowments Department,
Secretariat Buildings, Velagapudi, Amaravati & Others.

...Respondents

ANNEXURE - I

Sl No.	Date	Description of Document	Para No	Page No.
1	07.10.2024	the present Writ Petition is instituted, declaring the action of the respondents herein, particularly Respondent No.3, in not considering the recommendations made by the 4 th Respondent, Dt. 07.10.2024	2	8
2	NIL	I respectfully submit that, in the year 2000, the 4 th Respondent, Math, has leased out the subject property to me for cultivation.	3	8
3	NIL	I respectfully submit that, subsequently, till today, I have been paying the lease amount without fail or without any delay to the 4 th Respondent, Math.	4	8
4	22.07.2024 07.10.2024	I respectfully submit that based on the representation dt.22.07.2024 submitted by me, the 4 th Respondent has addressed the letter vide Letter SPM No.452/2024, dt.07.10.2024	5	9
5	NIL	I respectfully submit that, during the year 1979, the then manager of the Math sent a proposal to the administrative authority to sell away the land situated in Yerraguntlapalli Village.	6	10
6	NIL	I respectfully submit that, in the year 2000, the subject land was leased cut to me for an amount of Rs.1875/-.	7	10

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7	NIL	I submit that the very same recommendation letter by the 4 th Respondent has also been addressed to the 2 nd Respondent also.	8	11
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ANNEXURE - II

Para No.

Page No.

Under Article 226 of the Constitution of India.

in
Affidavitin
Affidavit

Place: Amaravathi.

Date: .04.2025


Counsel for the Petitioner/s.

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No. OF 2025

Between:

K. Usha, W/o. K. Sudhakar Reddy,
 Aged about 62 years, Occ: Housewife,
 R/o. D.No.11-78, GK Colony, Piler,
 Annamayya District, Erstwhile Chittoor District.

..Petitioner

A N D

1. The State of Andhra Pradesh,
 Rep. by its Principal Secretary,
 Endowments Department,
 Secretariat Buildings, Velagapudi, Amaravati.
2. The District Collector,
 Annamayya District at Rayachoty.
3. The Commissioner,
 Endowments Department,
 Opposite S-Grand Restaurant, One Center,
 Gollapudi, Vijayawada, Krishna District.
4. The Manager,
 Sri Pushpagiri Math,
 D.No.42/372-4, Bhagyanagar Colony, Kadapa,
 Y.S.R Kadapa District.

.... Respondents.

AFFIDAVIT

I, K. Usha, W/o. K. Sudhakar Reddy, aged about 62 years, Occ: Housewife, R/o. D.No.11-78, GK Colony, Piler, Annamayya District, Erstwhile Chittoor District, do hereby solemnly and sincerely affirm and state on oath as follows:

1. I am the Petitioner herein and as such I am well acquainted with the facts of the case.
2. I respectfully submit that the present Writ Petition is instituted, declaring the action of the respondents herein, particularly Respondent No.3, in not considering the recommendations made by the 4th Respondent, Dt. 07.10.2024 to accord permission to sell the lease hold property to the petitioner to an extent of Ac.18.74 cents situated at Sy. No.707 in Yerraguntlapalli Village, Piler Mandal, Annamayya District is nothing but illegal, arbitrary, unjust and violation of the fundamental rights guaranteed under Articles 14, 21 and 300-A of The Constitution of India.
3. I respectfully submit that, in the year 2000, the 4th Respondent, Math, has leased out the subject property to me for cultivation. I submit that, since then, I have been in peaceful possession and enjoyment of the same by cultivating the subject property. I submit that, in the year 2003, a notice, SPM.No.188/03, Dt. 30.04.2003 issued by the then 4th Respondent directing me to hand over the possession of the subject property within 30 days. I submit that, challenging the same, I approached the erstwhile High Court of Andhra Pradesh by way of filing a writ petition vide W.P. No. 9947 of 2003, wherein the erstwhile High Court was pleased to dispose of the writ petition by protecting my lease interests and ever since I continued to be in possession of the property on lease.
4. I respectfully submit that, subsequently, till today, I have been paying the lease amount without fail or without any delay to the 4th Respondent, Math. I submit that, on 22.07.2024, I have made a representation to the 4th respondent stating that the 4th respondent has leased out the subject land to me from the past 25 years and since then

I have been paying the lease amount till today without fail. I further submit that the subject land is not suitable for cultivation and does not generate any income to me, as well as to the 4th Respondent, Math. I further submit that I have proposed to buy the leasehold subject property from the 4th Respondent, Math, for a valuable sale consideration for market value under private negotiation. I submit that, after due enquiry, I came to know that the subject property was notified under section 22-A of The Registration Act, 1908 and the Sub Registrar has issued a Market Value Certificate as "zero value". I further submit that I am ready for the purchase of the subject property for a valuable consideration.

5. I respectfully submit that based on the representation dt.22.07.2024 submitted by me, the 4th Respondent has addressed the letter vide Letter SPM No.452/2024, dt.07.10.2024 to the 3rd Respondent stating that, the subject land was leased out in the year 1955 to till today and further stated that due to the land condition, none of the lessee carried out agriculture in the subject land, but out of religious favour, the farmers were used to pay the agreed lease amount even if they do not raise crop or getting any income from this land. Due to which, the lands were vacant for several years. I submit that this land does not yield any income to leased lessees and has no ability to generate any rental stream in any manner. I submit that the land is barren and not being cultivated due to its non-fertile capacity and it is known as bad land since time immemorial. When we see the subject land, it is a class of dry since where sharp sedimentary rocks and earth-rich mud have been eroded by winds and water. I submit that the 4th Respondent has received several representations for reclamation of the land, from the lease holders for long lease and some were requested to

sell away the subject land so that anybody can bring back the land cultivable at their own cost.

6. I respectfully submit that, during the year 1979, the then manager of the Math sent a proposal to the administrative authority to sell away the land situated in Yerraguntlapalli Village. Accordingly, on 04.07.1981, the Math authorities conducted the sale of the land in question after fulfilling the administrative procedure in public auction, but it was cancelled for want of a fair price. Again, on 26.06.1992, another public auction was conducted for the sale of land, but the sale was also vetoed for not getting the expected amount. Since then, the land has been kept vacant. I further submit that in said public auction, the highest bid amount offered was Rs.52,000/- only for the total extent of said land.

7. I respectfully submit that, in the year 2000, the subject land was leased out to me for an amount of Rs.1875/-. At present, I am continuing to pay Rs.6000/- per annum. I submit that, I am paying the amount without any income under cultivation in the subject land. The 4th respondent submitted to the 3rd respondent that the tenant/petitioner is a notable person in the village and in Piler Town, nobody has dared to encroach on the subject land over the past two decades. However, in the recent past, due to changing scenarios in politics, the tenant has expressed her inability to protect the land from anti-social elements, real estate business people. The 4th respondent also addressed a letter to the District Collector on 17-08-2024 to protect the subject property from illegal land grabbers, addressing the same to me also. Again, on 15-11-2024, addressed a letter to the Circle Inspector of Police, Piler to protect the subject property from illegal excavation of earth by nearby villagers. The land is fully surrounded by apartments

and ventures naturally, Math land is unprotected and also eye-catching to the encroachers and further submitted that the 4th Respondent, Math neither in a position to protect such a large extent of barren land nor protect the subject property. I submit that the 4th Respondent has requested the 3rd Respondent to accord permission to sell away the subject land to me in order to protect the subject land from encroachers.

8. I submit that the very same recommendation letter by the 4th Respondent has also been addressed to the 2nd Respondent also. I submit that the 2nd respondent nor the 3rd Respondent has not considered the recommendation submitted by the 4th Respondent till today, nor passed any orders on the recommendation made by the 4th Respondent, dt.18.09.2024 to the 3rd Respondent and Dt. 25.06.2024 to the 2nd Respondent. Hence, this writ petition.

8. In the circumstances stated above, I have no other alternative remedy except approaching this Hon'ble court seeking redress under Article 226 of the Constitution of India. I state that I have not filed any writ petition or instituted any civil proceedings questioning the action of the respondents.

For the aforementioned reasons, it is prayed that this Hon'ble Court may be pleased to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents herein particularly Respondent No.3 in not considering the recommendations made by the 4th Respondent, Dt.07.10.2024 to accord permission to sell the lease hold property to the me to an extent of Ac.18.74 cents situated at Sy.No.707 in Yerraguntlapalli Village, Piler Mandal, Annamayya District under private negotiation as nothing but illegal, arbitrary, unjust and violation

of the fundamental rights guaranteed under Articles 14, 21 and 300-A of The Constitution of India and consequently direct the Respondent No.3 to consider the recommendations made by the 4th Respondent, Dt.07.10.2024 to accord permission to sell the lease hold property to the petitioner to an extent of Ac.18.74 cents situated at Sy.No.707 in Yerraguntlapalli Village, Piler Mandal, Annamayya District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

It is further prayed that this Hon'ble Court may be pleased to direct the Respondent No.3 to consider the recommendations made by the 4th Respondent, Dt.07.10.2024 to accord permission to sell the lease hold property to me to an extent of Ac.18.74 cents situated at Sy.No.707 in Yerraguntlapalli Village, Piler Mandal, Annamayya District for reasonable price, pending disposal of the Writ Petition and pass such other order or orders as this Hon'ble Court may deem fit and property in the circumstances of the case.

Sworn and signed before me
On this the 24th day of April, 2025
At Amaravati.

Deponent

Before Me


Advocate/Amaravathi.

VERIFICATION STATEMENT

I, K. Usha, W/o. K. Sudhakar Reddy, aged about 62 years, Occ: Housewife, R/o. D.No.11-78, GK Colony, Piler, Annamayya District, Erstwhile Chittoor District being the petitioner herein acquainted with

the facts do hereby verify and state that the contents of the above paras of the affidavit filed in support of the writ petition are true to my personal knowledge based on information on records and believed to be correct and on legal advice believed to be correct.

Verified on this the 26/day of April 2025, at Amaravati.


Advocate

Deponent



EXD, 14

Sri Sri Jagadguru Pushpagiri Sankaracharya Mahasamsthanam

Office: 42/372-5 & 6, Jayanagar Colony, KADAPA - 516002, (A.P.) Mobile : 6303442273
Office: 1-10-176/B, Besides Varun Motors, Opp. Hyderabad Public School, Begumpet,
HYDERABAD - 500 016 (T.S.)

e-mail : sripushpagirimuttooffice@gmail.com



Sri Vidya Sankara Bharathi Swamyvaaru

Letter SPM No. 452/2024

Dt.07.10.2024

From
Sri P.Giridhar,M.A,M.Com
Manager,
Sri Pushpagiri Math
42/372-4, Bhagyanagar Colony,
KADAPA – 516 002

To
The Commissioner,
Endowments Department,
VIJAYAWADA.

Sir,

Sub:- Sri Pushpagiri Math, Kadapa- Land in Survey No.707 Ext. Ac.18.75 cents situated in Yerraguntlapalli village, Piler Mandal, Annamayya District belongs to Sri Pushpagiri Mutt, Kadapa- Not yielding any income – Proposals for sale – Permission – Request- Reg.

Ref:- Representation Dt. 22.07.2024 of Smt. K.Usha R/o Piler, the tenant of this institution.

Kind attention is invited to the subject and reference cited above. It is to submit that the land in Survey No.707 Ext.Ac.18.75 cents situated in Yerraguntlapalli village, Piler Mandal of Annamayya District belongs to Sri Pushpagiri Mutt, Kadapa. Although the extent of the land is big, owing to its bad condition, this institution is not fetching tangible income through leases since time immemorial. The undersigned visited the field on 28.09.2024. The report is as follows.

As seen from the available records, intermittently the land was leased out in the year 1955 to till date. It appears that due to the land condition, none of the lessee carried out agriculture in the land, but out of religious fervor, the farmers were used to pay the agreed lease amount even if they do not raise crop or get any income from this land. Due to which, the land was vacant for several years. This land does not yield any income through leasing out or no ability to generate any rental stream in any manner. Here is a brief description of the land.

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4.

This land is barren and not being cultivated due to its non-fertile capacity and is known as bad land since time immemorial. When we see this subject land, it is a class of dry scenes where sharp sedimentary rocks and earth-rich mud have been enormously washed by wind and water. They are shown by steep slopes and in some areas the land is undulations and foamy surface. It is also noticed that there hill like rocks scattered in some parts of the land. Further, elsewhere it is found that some small ponds filled with thorny bushes and soil in this subject land. Nearly 3 to 4 acres of land totally neither fit for cultivation nor to carry out any other related activates.

The land does not yield any income through leasing out or no ability to generate any rental stream in any manner. Holding of this land is quite uneconomical and also unlimited liability to protect the same from encroachments and other usurping methods. In a simple way this land can easily be encroached because there are no regular agricultural activities visible to the public for the past several decades.

Several representations were also received in this office that for reclamation of the land, the cost incurs very high as such some of the farmers urged for long lease and some were requested to sell away the land so that anybody can bring back the land cultivable at their own cost. However, due to administrative reasons, the same could be implemented, in as much as many of the farmers left away the land in the middle of their lease period. Due to aforesaid reasons, the land becomes barren with thorny bushes and bedrocks for several years.

During the year 1979, the then Manager of this Mutt has sent a proposal to the administrative authorities to sell away the land situated in Yerraguntlapalli village. Accordingly, on 04.07.1981, the Mutt authorities conducted sale of the land in question after fulfilling administrative procedure, but was cancelled for want of fair price. Again on 26.06.1992, another public auction was conducted for sale of the land. In vain, this sale also vetoed for not getting expected amount. Since then the land is kept vacant.

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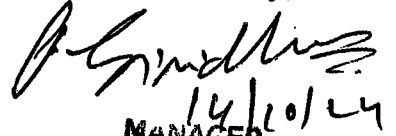
In the year 2000, the land was leased out to one Smt. K.Usha R/o Piler town for Rs.1875/-. At present, the tenant is being continued for Rs. Rs.6,000/-/- per annum. This tenant is paying the lease mount without any cultivation in this land. Further, it is to submit that the tenant being noteworthy person in the village and in Piler town, nobody daring enough encroach the land for the past two decades. However, in recent past, due to changing scenario in politics, the tenant has expressed her inability to protect the land from anti-social elements, real estate business people. In the months of July, and August of this year, some persons excavated earth from the land, soon after rushed to the site, they made abusive and physical attack on her. As the Piler town is extended around 5 kilometers vicinity, Yerraguntlapalli village, where the Mutt land is situated comes under sub-urban area. The land is fully surrounded with apartments and ventures. Naturally, Mutt land is unprotected and also eyes catch to the encroachers.

In view of the above, it is respectfully submit that Sri Pushpagiri Mutt is neither in a position to protect such a big extent of barren land from the clutches of the hooligans nor will get any fruitful income through leases.

It is therefore, requested the Commissioner, Endowments Department, Vijayawada to accord permission to sell away land so that this Institution will not sustain any further loss of revenue and property from the encroachers.

With Respects,

Yours faithfully,


14/10/24

MANAGER

SRI PUSHPAGIRI MATH
KADAPA.

- Encls: 1. Representation of the tenant
2. Photographs of the land

Copy submitted to H.H.Sri Sri Sri Swamiji, Peetadhipathi, Sri Pushpagiri Mutt, Hyderabad for favour of kind information.

EX P2 17

పీఠరు

తేది: 22.7.24

రాజ శ్రీ కడప జిల్లా పుచ్చగిరి మహాసంస్థానం మతం మేనేజర్ గారికి

ఆయ్యా!

ఆన్లైన్ టెండర్ (ఇదివరలో చిత్తూరు జిల్లా) పీఠరు గ్రామం, డోర్ నెం. 11/115 లో జి.కె. కాలనీలో కాపురం వుండు కాకులారం సుదాకర్ రెడ్డి భార్య శ్రీమతి కె. ఉష అయిన నేను తమరి సంస్థకు పీఠరు మండలం, యర్రగుంటవల్లి చాళులా వర్గ నెం. 707 లో గల ఎ. 18.75 ఎంట్లు వుండు భూమికి లీజుదారునైన (Sitting Tenant) నేను వ్రాసుకున్న మనివి.

తమరి సంస్థకు చెందిన నై తెలిపిన భూమి నిరుపయోగమై, ఎలాంటి సాగుకు లాభకరమేనందున తమరి సంస్థకు ఎలాంటి ఆదాయము లేవందున 1998 పం||లో తమకు ప్రభుత్వ అనుమతితో వర్లిక్ అక్వన్ జరవగా నై మొత్తము అప్ప రూ|| 52,000/- (అక్షరాల యాదై రెండు వేలు రూపాయలు) ఏలం అగి, తమరు విక్రయించుట నిలిపవట్లు తెలిపినది.

తరువాత తమరి మతంకు చెందిన నై విప్లవము సంవత్సరము ఒక్కంటికి లీజు విధియించి ఇప్పటికి మూడు 25 పం||లు మండి లీజు ప్రకము చెల్లిస్తూ లీజుదారునై వదరు భూమి నా స్వాధీనములో వున్నది.

వదరు భూమి వ్యవసాయ యోగ్యము లేనందున నేను ఇదివరలో ఖర్చు చేసినను ఎలాంటి ప్రతిఫలము పొందలేదు, అయినను వదరు భూమి అన్యాయము కాకుండా కాపాడుతూ లీజు ప్రకము ప్రస్తుతము సంవత్సరము ఒక్కంటికి రూ|| 5,600/-లు క్రమము తప్పకుండా చెల్లించుచున్నాను. ఇదివరలో తమరు మతం తరపున వచ్చి చూచినారు మరియు గౌరవనీయులైన జి.పి.వి. గారు కూడా వలమార్చు భూమిని చూసి సాగుకు లాభకరమేనై, నేను ఎలాంటి ప్రతిఫలము పొందకనే భూమికి లీజు చెల్లిస్తున్నానని రిపోర్టు సమర్పించినట్లు నాకు తెలిసినది.

ఇదివరలో 12-01-2005 న తేదీన నేను నై తెలిపిన కారణములతో తమరు నాకు నై భూమిని న్యాయపైస ధరకు (Private Negotiation) ద్వారా విక్రయించిన తీరుకొనుటకు నమ్మతి తెలిపి అర్థి వంపియున్నాను.

K Ushu

22.7.24

సదరు భూమి ప్రస్తుతము సెక్షన్ 22బి (Registration Act) ప్రకారము ప్రొయిడింగ్ రిస్కులో వున్నది. అందువలన నై భూమికి ఎలాంటి మార్కెట్టు ధర నిర్ణయము కాలేదు. అందులకు 10-07-2024 వ తేదీన సబ్ రిజిస్టర్ పీలరు వారు నై భూమికి 0 మార్కెట్టు విలువ తిరిపి ఇచ్చిన సర్టిఫికేట్టు ఇందువెంట జతపరచడమైనది.

నై విషయములు పరిగణించి తమరి సంస్థకు తగిన ఆధాయము లేనందున తమరి సంస్థకు చెందిన యర్లగుంటపల్లి గ్రామములో గల పర్సెం. 707 లో ఏ. 18.75 వెంట్ల పుంజ భూమిని లీజుదారునైన నాకు (Private Negotiation) ద్వారా నాకు విక్రయించిన తీసుకోవగలగనవి అందులకు తమరు తగిన చర్య తీసుకొనవలయునని ప్రార్థిస్తున్నాను.

ఇట్లు
తమ విధేయురాలు

K Usha

22-7-24
(కె. ఉషా)

Enclosure:

1. 10-07-2024 Sub Registrar Certificate

నా ఆద్యము

Smt. K. Usha,

W/o K. Sudhakar Reddy, B.A. B.L.,

Advocate

11/115, J.K. Colony,

Piler-517214

Annamayya District.

Piler
Dt:22.07.2024

To the Manager of Raja Sri Kadapa District
Pushpagiri Mahasamsthanam Math

Sir,

Annamayya District, (formerly Chittoor District) Peeleru Village, Door No. 8.6 out of 11/115. Kapuram Vundu Kakularam Madhakar Reddy's wife Mrs. J. in the colony. Ushaayana I have filed survey no. In 707 A. There is 18.75 vents of the land and I am the sitting tenant.

Since the above mentioned land belonging to the company is useless and not suitable for any cultivation, the company does not have any income and in the year 1998, with the permission of the government, the above property was sold at a public auction of Rs. 52,000/- (fifty two thousand rupees) said that the auction was stopped and they refused to sell it.

Later, the above area belonging to Tamari Math was leased for one year and till now, it is in the possession of Padaru Bhumi on Lebadaru by paying the rent for about 25 years.

As the said land is not arable, Vema has not received any reward for the expenditure so far, but the rent for keeping the padaru land from idleness is currently Rs. 5,600/- I am paying regularly. Earlier on behalf of the Thamar Mutt, the Hon'ble G.P.A. He also told me that he had seen the land several times and submitted a report that it was not suitable for cultivation and that I was paying the lease for the land without getting any reward.

20

1.

Earlier on 12-01-2005 we have sent the army with the consent of the sale of the land to me at a reasonable price (Private Negotiation) with the reasons I have mentioned above.

Padaru Bhumi is currently prohibited under Section 22A (Registration Act). Therefore, no market price has been determined for the above land. 10-07 for them. The certificate given by Sub-Registrar Peeleru stating the market value of the above land on 2024 is attached herewith.

Considering the above matters, as there is no sufficient income for their company, the village of Yarraguntapalli, belonging to their company, has been assigned to village no. In 707 A. 18.75 I am praying that they should take appropriate action to sell the land to me through private negotiation.

Yours faithfully,
K. Usha

Enclosure:

1. 10-07-2024 Sub Registrar Certificate

My Address

Smt. K. Usha,

W/o K. Sudhakar Reddy, B.A. B.L, Advocate

11/115, J.K. Colony, Piler-517214

Annamayya District.



Sri Sri Sri Jagadguru Pushpagiri Sankaracharya Mahasamsthanam



Office: 42/372-5 & 6, Jayanagar Colony, KADAPA - 516002, (A.P.) Mobile : 6303442273
Office: 1-10-176/B, Besides Varun Motors, Opp. Hyderabad Public School, Begumpet,
HYDERABAD - 500 016 (T.S.)

SPM. Letter No. 402/ 2024 e-mail : sripushpagirimuttoffice@gmail.com

Date: 17.08.2024

From
Sri P.Giridhar, M.A, M.Com,
Manager,
Sri Pushpagiri Math,
KADAPA - 516 002

To
The District Collector and Magistrate
Annamayya District
RAYACHOTY
Annamayya District

Respected Sir,

Sub:- Sri Pushpagiri Math, Kadapa - Land in Survey No.704 Ext. Ac.18.04 cents
Situating in Yerraguntlapalli, Piler Mandal, Annamayya District belongs to
Sri Pushpagiri Mutt, Kadapa- Illegal excavation of earth by the nearby
villagers - Orders for taking protection and demarcation - Request- Reg.

Ref:- This office letter SPM No.351/2024 Dt. 26.06.2024 addressed to the
The District Collector, Annamayya District

Kind attention is invited to the subject and reference cited. In this connection it is respectfully submit that the land in Survey No.704 Ext. Ac.18.04 cents situated in Yerraguntlapalli village, Piler Mandal of Annamayya District originally belongs to Sri Pushpagiri Mutt, Kadapa. Since, time immemorial the land is being leased out to so many persons and at present the land is under possession of one Mrs. K.Usha W/o K.Sudhakar Reddy R/o Piler Mandal.

In recent past, several attempts took place to usurp the Mutt land by the Real Estates people, political cadres with the help of local people. Very often the local villagers are excavating the earth and selling away in the market. This is causing huge damage to the endowments property. In this state of affairs, the tenant is expressing his inability to protect the land all over time.

It is therefore, requested the Hon'ble District Collector, Annamayya to be kind enough to cause necessary orders to the concerned to demarcate and protect the Endowments land from the unsocial elements.

With Regards

Siddhi

Yours faithfully,

[Signature]
MANAGER
SRI PUSHPAGIRI MATH
KADAPA

Copy submitted to the Joint Collector (Lands), Annamayya District for favour of kind information.
Copy submitted to the Superintendent of Police, Annamayya District for favour of kind information.
Copy to the District Endowments Officer, Annamayya Dist. Rayachoty, for favour of kind information
Copy to the Tahsildar, Piler Mandal for information and necessary action
Copy to the Circle Inspector of Police, Piler for information and requested to initiate action against culprits.
Copy to the Sub Inspector of Police, Piler for information and requested to initiate action against culprits.
Copy to Mrs. K.Usha, E/o K.Sudhakar Reddy, Advocate, Piler with a request to approach the concerned in the matter.

Ex- P-4

24

Office of the Manager,
Sri Pushpagiri Math,
Kadapa.

Letter SPM No. 257/2023

Dated: 02/05/2023

PROVISIONAL ORDER OF TENANCY LEASE

Land Lord:

Sri Sri Sri Vidya Sankara Bharathi Swamiji,
Peetadhipathi: Sri Pushpagiri Maha Samsthanam,
Pushpagiri(Village), Vallur (Mandal), YSR Kadapa
(District)

Tenancy Lessee:

- 1) Application dated 29.03.2023, Smt. K. Usha W/o .K. Sudhakar Reddy
- 2) This office Letter Number SPM No. 302 / 2023, dated 31.03.2023

Whereas the lessee has applied for sanction of lease of the scheduled mentioned Mutt lands and whereas the Peetadhipathi has authorised and also accorded permission to lease out the same by private negotiations for a period 3 years 1433-1435 (2023-2024 to 2025-2026) only in favour of aforesaid lessee who agreed to abide the under mentioned terms and conditions on an annual rent of Rs. 6,000/- (Rupees. Six Thousands only).

TERMS AND CONDITIONS:

- 1) That the provisional order of sanction of lease is subject to the approval of the Commissioner, Endowments Department, Andhra Pradesh, Hyderabad under section 82 of the A.P. Charitable Hindu Religious and Endowments Act 1987.
- 2) That the lease period 3 years 1433-1435 (2023-2024 to 2025-2026) only and no extension or continuation after expiry of lease will be entertained under any circumstances. The lease is deemed to have been cancelled after three years.
- 3) That after the expiry of lease the Mutt will conduct proclamation of fresh lease.
- 4) The lease rent should be paid before 31st March, every year.
- 5) That the one year lease rent / maktha should be paid as advance, which will be adjusted for the last fasli.
- 6) The lessee cannot claim perpetual tenancy.
- 7) The Mutt Authorities have all powers to inspect and cancel during continuation of lease for any default of arrears.

- 8) No exemption of rent / Makta for any fasli on account of Natural calamities.
- 9) That the lessee should pay land taxes and other Government cess and taxes any etc.
- 10) Any development of land like use of heavy manures and land reclamation shall become only with the written permission of the Mutt authorities.
- 11) Half of the Maktha should be paid in excess of the annual Maktha, if second crop is raised.
- 12) That the land should be vacated whenever it is put for sale in Public Auction.
- 13) The said land should not be sub-leased by the tenant and no construction of any kind should be made without the prior permission of the Math authorities.
- 14) The lessees shall utilise the land for agricultural purpose only and that he shall not utilise the said land for any non-agricultural or other purposes like residential and industrial or commercial purposes.
- 15) The lessees shall not raise the crop other than the crop for which the lands have been leased out and that the lease to be fixed in terms of bags for wet lands or sugarcane in terms of tons.
- 16) The lessees shall not undertake the digging of bore wells or ponds or wells in land with out obtaining the permission of the Executive Authority of the Institution or Endowments and such other authority as the law may prescribe.
- 17) In the event of acquisition of land or vacant site by the Government authorities for public purpose, the tenant has no legal right over compensation amount as Sri Pushpagiri Math, Kadapa is absolute owner to receive compensation if any from Government.
- 18) The lease is not transferable however in the event of the death of the lessees with the prior permission of the Executive Authority of the Institutions or Endowments if the terms and conditions of the lease deed or the conditions prescribed under these rules are violated.
- 19) After expiry of lease period, the land lord (math authorities) are competent to lease out the lands in open auction as per rules under section 82 of the act and the

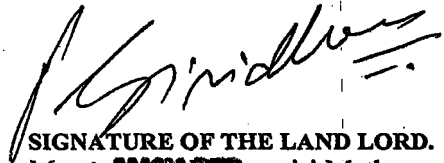
25

tenant cannot claim any right over the land and cannot claim any civil suits over the land and math authorities are entitle to take possession of the land.

SCHEDULE.

Survey No.:	707	Extent :	18.74
Village:	Yerraguntlapalli	Manda:	Pileru
		District:	Annamayya

In witness where of the land lord and tenant hereby subscribe the signature:


SIGNATURE OF THE LAND LORD.
Manager, Pushpagiri Math,
Sri Pushpagiri Peethadhipathy,
Pushpagiri (Village),
Valluru (Manda),
Kadapa District.


SIGNATURE OF THE TENANT/LESSEE.



To
Smt. K. Usha
W/o. K. Sudhakar Reddy
D.No.11-78
J.K. Colony
PILERU
Annamayya (District)
Mobile No. 9440202315

Copy submitted to His Holiness Sri Sri Sri Peethadhipathi, Sri Pushpagiri Mutt, Begumpeta, Hyderabad.

Copy to Accountant, Sri Pushpagiri Mutt, Kadapa.

SRI SRI SRI PUSHPAGIRI JAGADGURU SANKARACHARYA MAHASAMSTHANAM:
By Regd. Post with Ack Due. PUSHPAGIRI - (Post)

OFFICE OF THE MANAGER : : SRI PUSHPAGIRI MUTT : CUDDAPAH.

Lr.No. SPM. 12/CTR/2000.

Date: 23-02-2000.

PROVISIONAL ORDER OF THE TENANCY LEASE.

Land Lord: Sri Pushpagiri Mutt: Peetadhipathi His Holiness Jagadguru Sri Vidya Nrusimha Bharathi Swamy varu, Pushpagiri (Post) Vallur Mandalam, Cuddapah - District.

Tenancy Lessee: Smt. Kakularam Usha, W/o Sudhakra Reddy, H.No. 11/16-10, J.K. Street, Piler - 517 214. Chittoor - Dist.

-101-

Where as the lessee was applied for sanction of lease of the schedule mentioned Mutt land and where as the Peetadhipathi accorded permission to lease out the same by private negotiations for a period of six years (6) commencing from the Fasli: 1410 to 1415 (2000-2001 to 2005-2006) in favour of aforesaid lessee who agreed to abide the under mentioned terms and conditions on an annual rent/maktha at Rs. 1,875-00 (Rupees One thousand eight hundred and seventy five only) per year for the said land.

It is further confirmed under this provisional orders that the lessee shall abide the terms and conditions, that violation of such terms will automatically empower the Peetadhipathi and his officers, to initiate the action for eviction without notice by cancelling the Provisional sanction of lease:-

TERMS AND CONDITIONS.

- (1) That the provisional order of sanction of lease is subject to the approval of the Commissioner, Endowments Department.
- (2) That the lease is for six (6) years only and no extention of continuation after expiry of lease under any circumstances. The lease is deemed to have been cancelled after six (6) years.
- (3) That after the expiry of lease the Mutt will conduct proclamation of fresh lease.
- (4) That the lease rent should be paid before 31st March, every year.
- (5) That one year lease rent/maktha should be paid as advance which will be adjusted for the last fasli.
- (6) The lessee cannot claim perpetual Tenancy.
- (7) The Mutt authorities has all powers to inspect and cancell during continuation of lease for any default or arrears.
- (8) No exemption of rent/maktha for any fasli on account of Natural calamities.

- (9) That the lessee should pay land taxes and other Government cess or taxes etc.,
- (10) That the lessee should not remove earth from schedule land during continuation of lease.
- (11) Any development of land like use of heavy Mennures and land reclamation shall be done only with the written permission of the Mutt authorities.
- (12) Half of the maktha should be paid in excess of the annual maktha, if second crop is raised.
- (13) That the land should vacate when ever it is put for sale in public auction.

SCHEDULE

District: Chittoor. Mandal: Pileru.
 Taluk: Pileru. Village: Yerraguntla palli
 Survey No: 707 Extent: 18-74 cents.

In witness where of the land lord and tenant
 hereby subscribe their signatures.

M. Ramamurthy
 SIGNATURE OF LANDLORD

X K Usha
 SIGNATURE OF TENANT/LESSEE.

Manager,

SRI PUSHPAGIRI MATH Mutt,
 on the left side of the Peetadhipathy
 Pushpagiri Nagadguru Sri Sankara
 charya Mahasamsthanam.

To

Smt. K. Usha
 W/o Kakularam Sudhara Reddy,
 H.No. 11/16-10 J.K. Street,
 Pileru - 517 214.

Chittoor - Dist.

Copy to Accountant.

Copy to

Ex.P 5

28

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY THE TWENTIETH DAY OF MAY TWO THOUSAND AND THREE

: PRESENT :

THE HON'BLE MR.JUSTICE: K.C.BHANU

W.P. No.9947 of 2003

Between:

Smt. K.Usha.

Petitioner

AND

- 1. The Assistant Commissioner, Endowments Department, Chittoor, Chittoor District.**
- 2. The Manager, Sri Pushpagiri Mutt, 7/218, N.G.O. Colony, Cuddapah District.**

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction, declaring the Notice. Dt. 30-4-2003 issued by the 2nd respondent herein as illegal, arbitrary, unreasonable null and void and without jurisdiction and contrary to the procedure laid down in the rule framed in G.O.Ms.No. 379 Revenue (Endowments-1) Department, dt. 11-3-2003.

FOR THE PETITIONER: Mr. K.Suresh Kumar Reddy, Advocate.

FOR THE RESPONDENT NO.1: The G.P. for Endowments.

FOR THE RESPONDENT NO.2: Mr. Metta Chandrasekhar Rao – Standing Counsel.

The Court at the admission stage made the following ORDER:

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THE HON'BLE SRI JUSTICE K.C.BHANU

W.P.No. 9947 of 2003

ORAL ORDER:

Heard both sides.

The petitioner assails the notice issued by the respondent-endowment under Rule 5(1) of the Rules issued under G.O.Ms.No.379, Revenue (Endowments-I) Department, dated 11-3-2003 whereunder the land held by the petitioner(s) as a lessee(s) is sought to be resumed by canceling the lease.

According to the averments, the petitioner(s), is/are landless poor and entitled for purchase of the temple land if it is offered to him/them, as per the said Governmental Order. The petitioner(s) submits that the lease is cancelled without issuing any notice and conducting any enquiry into the matter and the impugned notice is nothing but a summary eviction.

Be that as it may, this Court has adjudicated similar matters in Writ Petition Nos.7837 and 8604 of 2003, dated 2-5-2003.

Following the same, this Writ Petition also stands disposed of leaving it open to the petitioner(s) to approach the concerned Assistant Commissioner of Endowments seeking to declare him/them as landless poor. On such an application being filed within fifteen days from the date of receipt of a copy of this order, the said Assistant Commissioner of Endowments shall examine the matter duly putting the respondent-endowment on notice and decide the same within two months thereof. Till

final decision is taken, the petitioner(s) shall be continued as lessee on the existing terms. If the matter is likely to be delayed, it shall be open to the respondent-endowment to fix the maktha by collecting comparative figures in the vicinity and offer it to the petitioner. In case the petitioner(s) is/are agreeable to pay such amount, it shall be open to the petitioner(s) to continue as such and if the petitioner(s) is/are not prepared to pay such amount, it shall be open to the respondent-endowment to resume the land. No order as to costs.

SD/- P.KRISHNA MURTHY
ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Assistant Commissioner, Endowments Department, Chittoor, Chittoor District.
2. The Manager, Sri Pushpagiri Mutt, 7/218, N.G.O. Colony, Cuddapah District.
3. Two CCs to the G.P. for Endowments, High Court of A.P.Hyd(OUT)
4. Two CD Copies.
5. One CC to Mr. K.Suresh Kumar Reddy, Advocate (OPUC)

SAH

INTERLOCUTORY APPLICATION
(Under Section 151 of CPC)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

I.A.NO. OF 2025

IN

W.P.NO. OF 2025

Between:

K. Usha, W/o. K. Sudhakar Reddy,
Aged about 62 years, Occ: Housewife,
R/o. D.No.11-78, GK Colony, Piler,
Annamayya District, Erstwhile Chittoor District.

..Petitioner

A N D

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Endowments Department,
Secretariat Buildings, Velagapudi, Amaravati.
2. The District Collector,
Annamayya District at Rayachoty.
3. The Commissioner,
Endowments Department,
Opposite S-Grand Restaurant, One Center,
Gollapudi, Vijayawada, Krishna District.
4. The Manager,
Sri Pushpagiri Math,
D.No.42/372-4, Bhagyanagar Colony, Kadapa,
Y.S.R Kadapa District.

.... Respondents.

For the reasons stated in the affidavit filed in the support of main Writ Petition, it is therefore prayed that this Hon'ble Court may be pleased to direct the Respondent No.3 to consider the recommendations made by the 4th Respondent, Dt.07.10.2024 to accord permission to sell

the lease hold property to me to an extent of Ac.18.74 cents situated at Sy.No.707 in Yerraguntlapalli Village, Piler Mandal, Annamayya District for reasonable price, pending disposal of the Writ Petition and pass such other order or orders as this Hon'ble Court may deem fit and property in the circumstances of the case.

Place: Amaravathi.

Date 24.04.2025


Counsel for the Petitioner/s.

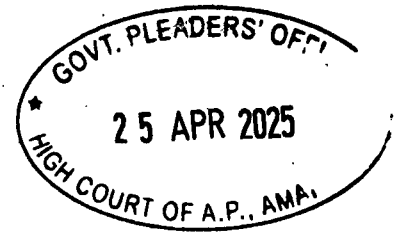
YSR KADAPA :: DISTRICT

HIGH COURT OF ANDHRA PRADESH
: AT AMARAVATI

I.A.NO. OF 2025
IN
W.P.NO. OF 2025

Endow

DIRECTION PETITION



Filed on:

Filed by:

Mr. SURESH KUMAR REDDY KALAVA
(5903)

Counsel for the Petitioner/s.

922031346072