

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No.

of 2024

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Amaravathi

Date: 27-01-2025

D.V.J

Counsel for the Petitioner

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**MEMORANDUM OF WRIT PETITION
(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI**

W.P. No. of 2025

Between:

**Nallava Guru Prabhavathi, C/o Nallava Nagaraju,
Aged about 45 Years, Occ: Business,
R/o # 2-4-94/65, Pedda Satram,
Srisailam, Nandyal District**

...Petitioner

AND

- 1. The State of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.**
- 2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
NTR District.**
- 3. Sri BrahamramabaMallikarjuna Swamy Vari Devasthanam,
Srisailam, Kurnool District
Rep. by its Executive officer**

...Respondents

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

For the reasons stated in the accompanying affidavit filed in the support of the above writ petition, Hence In view of the facts and circumstances as stated above It is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate Writ order or direction more particularly, one in the nature of Writ of Mandamus.

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declaring the action of respondents in not considering the case of the petitioner for extending the license hold rights of petitioner shop No. 1, B-block in Lalitambika Complex belonging to 3rd respondent temple for a period of 11 years by considering petitioner representation dated 16.01.2025, as was done in case of other shops as per the proceedings of the 2nd respondent in D. Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024 and as per Rule 12(2) of the APC & HRI and Endowments Immovable Properties and Other Rights (Other Than Agricultural Lands) Leases and License Rules, 2003, as bad, illegal, arbitrary, discriminatory, abuse of power and violative of Articles 14, 19 (1)(g) and 21 of Constitution of India and consequently direct the respondents to extend the license hold rights of the petitioner for a further period of 11 (Eleven) years and pass such other order or orders, in the interest Justice.

Amaravati

D.V.L
COUNSEL FOR THE PETITIONER

Date: 27.01.2025

DISTRICT :: KURNOOL

IN THE HIGH COURT OF
ANDHRA PRADESH AT
AMARAVATI

W.P. No. of 2025

WRIT PETITION

Filed on:

Filed by:

GP-1001—
B-901—
v-2502—
CC-152—

SRI D.V.SASIDHAR(10944)
MVS NIKHIL KASHYAP (23588)
COUNSEL FOR PETITIONERS

P1, P2 GP for Endowment's
P3. SC for G. Damana Rao
suo moto.

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. of 2025

Between:

Nallava Guru Prabhavathi

... petitioner

AND

The State of Andhra Pradesh & others

... Respondents

CHRONOLOGICAL EVENTS

ANNEXURE – I

Sl. No.	Date	Description of Document	Page No	Para No
01.	16.01.2025 & 06.03.2024	It is submitted that the present writ petition is filed challenging the action of respondents in not considering the case of the petitioner for extending the license hold rights of petitioner shop No. 1, B-block in Lalitambika Complex belonging to 3 rd respondent temple for a period of 11 years by considering petitioner representation dated 16.01.2025 as was done in case of others as per the proceedings of the 2 nd respondent in D. Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024 as bad, illegal, arbitrary, discriminatory, abuse of power and violative of Articles 14, 19 (1) (g) and 21 of Constitution of India.	8/9	2
02.	04.11.2023 & 06.03.2024	I submit that, while the matter stood thus some of the license holders who are continuing even after the expiry of license period and whose shops were removed in the master plan were allotted shops by private negotiations for a period of 3 years in the Lalitambika Complex as per the orders	9	4

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		of the 2 nd respondent in Rc. No. D1/COE-14025(34)/75/2023-1 dated 04.11.2023. Thereafter again their licenses were extended for 11 years by corrigendum proceedings of the 2 nd respondent vide D.Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024.	9	4
03.	05.11.2024	I submit that, exactly in front of my shop unauthorized temporary shops was erected without permission from the higher authorities, as such I have filed WP No. 23994/2024 and interim orders were granted on 05.11.2024, but still stalls are not removed, as such I have filed CC and the same is pending. For the past around 1 year, I am being harassed and my business become dull because of the illegal shop in front of my shop, but still I have paid the rental to show the bonafides and submitted representation for extension of lease for a period of 11 years on par with others and the same is not considered. Hence the present writ petition is filed.	10	6
04.	NIL	I submit that, even I am also entitled for the extension of license hold rights as per Rule 12 (2) of the APC & HRI and Endowments Immovable Properties and Other Rights (Other Than Agricultural Lands) Leases and License Rules, 2003, otherwise we will be put to irreparable loss and injury which cannot be compensated by any means. I have borrowed huge amounts at higher rates of interest from lenders and invested so much of amount and hard work in our business but discrimination is shown by the authorities. Unless my lease is extend I will be put to irreparable loss and injury which cannot be compensated by any means.	11	8

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ANNEXURE – II

Under Article 226 of Constitution of India

Amaravati,

Date: 27.01.2025

DVd

COUNSEL FOR THE PETITIONER

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No.

of 2025

Between:

Nallava Guru Prabhavathi, C/o Nallava Nagaraju,
Aged about 45 Years, Occ: Business,
R/o # 2-4-94/65, Pedda Satram,
Srisailam, Nandyal District

...Petitioner

AND

1. The State of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.
2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
NTR District.
3. Sri BrahamramabaMallikarjuna Swamy Vari Devasthanam,
Srisailam, Kurnool District
Rep. by its Executive officer

...Respondents

AFFIDAVIT

I, Nallava Guru Prabhavathi, C/o Nallava Nagaraju, Aged about 45 Years, Occ: Business, R/o # 2-4-94/65, Pedda Satram, Srisailam, Nandyal District, having temporarily come down to Vijayawada, do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the petitioner/deponent herein and as such I am well acquainted with the facts of the case.
2. It is submitted that the present writ petition is filed challenging the action of respondents in not considering the case of the petitioner for



N. G. Prabhavathi

(97)

extending the license hold rights of petitioner shop No. 1, B-block in Lalitambika Complex belonging to 3rd respondent temple for a period of 11 years by considering petitioner representation dated 16.01.2025 as was done in case of others as per the proceedings of the 2nd respondent in D. Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024 as bad, illegal, arbitrary, discriminatory, abuse of power and violative of Articles 14, 19 (1) (g) and 21 of Constitution of India.

3. I submit that, I am eking livelihood by doing business. I have participated in the auction conducted by the 3rd respondent temple and became the highest bidder and license holder of the shop No. 1, B-block in Lalitambika Complex, belonging to the 3rd respondent temple as my lease was granted as per the proceedings of the 3rd respondent dated 22.12.2022 for a period of 3 years @ Rs.94,000/- + 18% GST (Rs.16,920/-) rent per month in toto Rs.13,31,040/- per annum. I have paid advance rental for 3rd year period also on 08.01.2025 for the period 01.01.2025 to 31.12.2025 as such no arrears to be paid from my part and there is no dispute with regard to the same.
4. I submit that, while the matter stood thus some of the license holders who are continuing even after the expiry of license period and whose shops were removed in the master plan were allotted shops by private negotiations for a period of 3 years in the Lalitambika Complex as per the orders of the 2nd respondent in Rc. No. D1/COE-14025(34)/75/2023-1 dated 04.11.2023. Thereafter again their licenses were extended for 11 years by corrigendum proceedings of the 2nd respondent vide D.Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024.

N.G. Prabha 



5. I submit that, the extension of license of shops were given to the persons whose licenses were expired long back but coming to me i have bonafidely participated in the auction but my license was not extended on par with them and discrimination is shown, as such I have submitted representation on 16.01.2025 to the 3rd respondent seeking similar treatment. Further mines is a corner bit and my corner western side was closed with the construction of wall, as such I have filed WP No. 16781/2024 and interim orders were granted, but still the wall was constructed, as such I have filed CC No. 3729/2024 for violation of the interim orders dated 02.08.2024 and same is pending.
6. I submit that, exactly in front of my shop unauthorized temporary shops was erected without permission from the higher authorities, as such I have filed WP No. 23994/2024 and interim orders were granted on 05.11.2024, but still stalls are not removed, as such I have filed CC and the same is pending. For the past around 1 year, I am being harassed and my business become dull because of the illegal shop in front of my shop, but still I have paid the rental to show the bonafides and submitted representation for extension of lease for a period of 11 years on par with others and the same is not considered. Hence the present writ petition is filed.
7. I submit that, the action of the 2nd and 3rd respondent is discriminatory, illegal and arbitrary, as I am also similarly situated license holder, doing the same business of selling the toys, pooja items, photographs, etc., but only the few set of license holders, were given the benefit of 11 years license rights for the best reasons known to the respondents. I am also facing the same financial crunch on par with others. But I could not get the letters from the local public representatives or the Deputy Chief Minister as referred in the 2nd

N.G. Prabhuvalle

respondent proceedings dated 06.03.2024, extending other shops licenses. As per the auction conditions, I have paid 1 year rental in advance and for establishing the shops I have to spend around 10 Lakh Rupees, further I have to pay Rs. 1,00,000/- deposit + GST, further I have to renovate, beautify, electrify, etc. the shops. All these things take some time and within a short span of 1 year time my license is being completed and we have to pay advance rental again for the 2nd year. Further comparing to the rentals I am paying highest rental amount than that of the persons, who are given an extension of 11 years license period.

8. I submit that, even I am also entitled for the extension of license hold rights as per Rule 12 (2) of the APC & HRI and Endowments Immovable Properties and Other Rights (Other Than Agricultural Lands) Leases and License Rules, 2003, otherwise we will be put to irreparable loss and injury which cannot be compensated by any means. I have borrowed huge amounts at higher rates of interest from lenders and invested so much of amount and hard work in our business but discrimination is shown by the authorities. Unless my lease is extend I will be put to irreparable loss and injury which cannot be compensated by any means.
9. It is humbly submitted that the petitioners have no other alternative and efficacious remedy except to approach this Hon'ble Court under Article 226 of constitution of India.
10. It is submitted that the petitioners have not filed any suit, application or petitions before any court of law and I have not sought for any similar relief.



N.G. Parbhavath

(12)

In the above mentioned circumstances, it is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate Writ order or direction more particularly, one in the nature of Writ of Mandamus, declaring the action of respondents in not considering the case of the petitioner for extending the license hold rights of petitioner shop No. 1, B-block in Lalitambika Complex belonging to 3rd respondent temple for a period of 11 years by considering petitioner representation dated 16.01.2025, as was done in case of other shops as per the proceedings of the 2nd respondent in D. Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024 and as per Rule 12(2) of the APC & HRI and Endowments Immovable Properties and Other Rights (Other Than Agricultural Lands) Leases and License Rules, 2003, as bad, illegal, arbitrary, discriminatory, abuse of power and violative of Articles 14, 19 (1)(g) and 21 of Constitution of India and consequently direct the respondents to extend the license hold rights of the petitioner for a further period of 11 (Eleven) years and pass such other order or orders, in the interest Justice.

Pending disposal of the writ petition, it is therefore prayed that this Hon'ble Court may be pleased to direct the respondents to consider the petitioner's representation dated 16.01.2025 in terms of the proceedings of 2nd respondent in D.Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024 and pass such other order or orders, interest of the justice.

Solemnly affirmed and signed
before me on this the 27th day of
May, 2024 at Vijayawada.

N.G. Prabhakar

DEPONENT

ADVOCATE: VIJAYAWADA

(Agha)

8.

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VERIFICATION

I, Nallava Guru Prabhavathi, C/o Nallava Nagaraju, Aged about 45 Years, Occ: Business, R/o # 2-4-94/65, Pedda Satram, Srisailam, Nandyal District, having temporarily come down to Vijayawada, do hereby declare that the contents in the above paragraphs are true and correct to the best of my knowledge and belief, hence verified on this the 27th day of May, 2024 at Vijayawada.

D.V.S

Advocate

N.G. Prabhavathi

Deponent

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

D.Dis.No.D2/COE-14025(51)/13/2024, Dt.06/03/2024.

Sub : Endowments Department - Sri Bhramaramba Mallikarjuna Swamyvarla Devasthanam, Srisaillam, Nandyal District - License rights in respect of (19) vacant plots in Q & R blocks of Lalitambika Complex and (1) vacant plot at primary health center and (1) vacant plot besides Sri Siddaramappa Shopping Complex - Granted for (3) years - Corrigendum to the words (3) years as (11) years from the date of handing over of the plots and with a license fee enhancement of 30% over the then existing license fee, for every three years + GST as per norms subject to the result of litigation pending - Issued.

- Ref : 1) Rc.No.C2/4820/2018, Dt.14.02.2023, 06.08.2023 & 29.10.2023 from the Executive Officer of the subject devasthanam.
- 2) This office Rc.No.D1/COE-14025(34)/75/2023-1, Dt.04.11.2023.
- 3) Rc.No.C2/3574/2023, Dt.30.10.2023 from the Executive Officer of the subject devasthanam
- 4) This office D.Dis.No.D1/COE-14025(34)/85/2023, Dt.06.11.2023.
- 5) Rc.No.C2/4820A/2018, Dt.19.01.2024 from the Executive Officer of the subject devasthanam
- 6) This office K.Dis.No.D2/COE-14025(51)/4/2024, Dt.01.02.2024.
- 7) Endt.No.1691/2024, Dt.24.01.2024 from the Hon'ble Dy.Chief Minister (Endowments), Government of A.P.
- 8) Endt.No.1814/2024, Dt.08.02.2024 from the Hon'ble Dy.Chief Minister (Endowments), Government of A.P.
- 9) Representation of as many as (19) licensees of Q&R blocks, (1) licensee of vacant plot at PHC and (1) licensee of vacant plot besides Sri Siddaramappa Shopping Complex submitted to this office on 04.03.2024.

In due consideration of the representation 9th cited and in exercise of the powers vested as per proviso to Rule 12(2) of the APC & HRI and Endowments Immovable Properties and Other Rights (Other than Agricultural Lands) Leases and

(15)

Licenses Rules, 2023, the Commissioner, Endowments Department, A.P., Vijayawada hereby issues the following corrigendum to the orders issued in the references 2nd, 4th and 6th cited in respect of the licensees annexed below :

***Read the words (3) years as (11) years from the date of handing over of the vacant plots and with a license fee enhancement of 30% over the then existing license fee, for every three years + GST as per norms,**

Annexure

SLNo	Lalithambhika shopping complex block details	Open site	Name of the licensee	This office order No. & Date.
1	Q Block	1	Sri M.Nataraj S/o M.V.Anand	Re.No.D1/COE-14025(34)/75/2023-1, Dt.04.11.2023
2	Q Block	2	Sri A.Mallikarjuna S/o A.Veerabhadraiah	-DO-
3	Q Block	3	Sri T.M.D.Rafi S/o Mahabooblal	-DO-
4	Q Block	4	Smt. D.Ramulamma W/o Linga Reddy	-DO-
5	Q Block	5	Sri M.V.Narayana S/o Subba Rao	-DO-
6	Q Block	6	Sri K.Siva Ramakrishna S/o Subbanna	-DO-
7	Q Block	7	Sri S.Nyamad S/o Murthuja	-DO-
8	Q Block	11	Sri S.Mohammad Rafi S/o Murthuja	-DO-
9	Q Block	12	Sri S.Malik S/o Khadar Basha	-DO-
10	R Block	4	Sri D.Sudhakar S/o Munidas	-DO-
11	R Block	7	Smt Noorjahan Bee W/o Ameer Basha	-DO-
12	R Block	8	Sri S.K.Rahamthulla	-DO-

(16)

			S/o Vall	
13	R Block	9	Smt P.Jaffer Bee W/o Hussinkhan	-DO-
14	R Block	10	Sri T.Mohammad Ali S/o Murthuja	-DO-
15	R Block	11	Sri S.M.Basha S/o Mahaboob Miya	-DO-
16	R Block	12	Sri S.Jameel Ahmad S/o Abdul Mazeed	-DO-
17	R Block	13	Sri T.M.Rabbani S/o Mahaboob Lal	-DO-
18	R Block	14	Sri S.Jilani Basha S/o S.Murthuja Hussin	-DO-
19	R Block	17	Sri S.Iqubal S/o Abdul Hameed	-DO-
20	Vacant plot at PHC	Hotel	Sri C.Nagaraju	D.Dis.No.D1/COE- 14025(34)/85/2023, Dt.06.11.2023
21	Vacant plot at Sri Siddaramappa Shopping Complex	Hotel	Sri M.Suryanarayana	K.Dis.No.D2/COE- 14025(51)/4/2024, Dt.01.02.2024

The Executive Officer of the subject devasthanam shall take further necessary action accordingly.

S Satyanarayana
Commissioner

To:

The Executive Officer, Sri Bhramaramba Mallikarjuna Swamyvarla Devasthanam,
Srisaifam, Nandyal District.

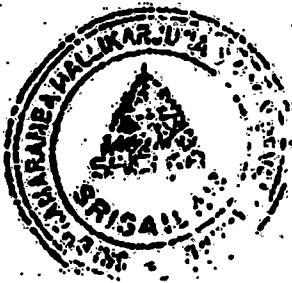
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(17)

**Sri Bhramaramba Mallikarjuna Swamy Varla Devasthanam,
Srisailam**

Allotment of Shop

B Block, Shop No. 1 allotted to highest bidder i.e.,
Smt N.G. Prabhavathi S/o. Naga Raju for a period of 3 years at the
rate of Rs. 94000/- per month (Excluding GST) subject to approval of the
Commissioner, Endowments Department, Vijayawada.



*5 Paul
3A
2-11-22*

*CCO
Sripat*

[Signature]
Executive Officer, 92/12/22
Sri Bhramaramba Mallikarjuna
Swamy Varla Devasthanam,
Srisailam

SBMS DEVASTHANAM (24-25)

O/o. Executive Officer, Administrative Building,, Srisailam, Nandyal District, State Name : Andhra Pradesh, Code : 37, E-Mail : e ndow-eosri@gov.in

Cheque/DD/Online Received Voucher**SRSILA**
DISTRICT TREASURY
SRISAILAM

No. : 24-25/01416

Dated : 8-Jan-2025

Particulars	Amount
Account : Rent Collection From Shops & Canteens (Licence)	13,31,040.00

Through :

AB Union Bank of India Salm - 051510011000234

On Account of :

Being Amount Received From Cheque/DD/Online Received Remmitter Name: N.G.Prabhavathi.B.
1.Lalithambika Complex, Towards - 1 Year Shop Rent per the Period from 01.01.2025 to 31.12.
2025 in Sri Lalithambika Shopping Complex,Srisailam

Bank Transaction Details:

Same Bank Transfer 8-Jan-2025 13,31,040.00

Amount (in words) :

INR Thirteen Lakh Thirty One Thousand Forty Only

Accounts Asst.,

Superintendent.

Executive Officer

₹ 13,31,040.00

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SBMS DEVASTHANAM - (22-23)
No Executive Officer, Administrative Building, Srisailem, Nandyal District, State No. 1001, Pradesh, Code 37, E-Mail: s n d w - e o f f i c e @ g o v . i n

Cheque/DD/Online Received Voucher
SRISAILEM

No. 22-23/01171

Dated: 7-Jan-2023

Particulars	Amount
Account: Rent Collection from Shop & Cottage (L1000)	13,31,040.00

Through:

Union Bank of India Ltd - 6800000000

On Account of:

Being amount Received Through Online Date - 07.01.2023 From Union bank of India Received
Remitter name - Prabhavathi Towards - One Year Shop Rent Period - 01.01.2023 to 31.12.2023
B Block No - 1 in Sri Lalithamba Shopping Complex, Srisailem


Bank Transaction Details:

Same Bank Transfer: 7-Jan-2023 13,31,040.00

Amount (in words):

INR Thirteen Lakh Thirty One Thousand Forty Only

₹ 13,31,040.00


Accounts Asst.


Superintendent


Executive Officer

SBMS DEVASTHANAM
Off. Executive Officer, Administrative Building, Srisailem, Nandya District, Srisailem - 521 101, Andhra Pradesh, Code : 37, E-Mail : sbsm-devasthanam@gmail.com

Cheque/DD/Online Payment Voucher



No. : 24-25/00202

Date : 15-12-2024

Particulars	Amount
Account : Rent Collection From Shop & Complex (Srisailem)	₹ 6,65,520.00
Through : NDR, State (SBMS DEVASTHANAM)	
On Account of : Being Amount Received From Online - N.G. Prabhavathi B.1. Lalithambika Complex, Towards - 6 Months Shop Rent per the Period from 01.07.2024 to 31.12.2024 in Sri Lalithambika shopping Complex, Srisailem.	
Bank Transaction Details: Same Bank Transfer 15-12-2024 ₹ 6,65,520.00	
Amount (In words) : INR Six Lakh Sixty Five Thousand Five Hundred Twenty Only	
₹ 6,65,520.00	

Accounts Asst.

Superintendent

Executive Officer

(20)

SBSIR DEVASTHANAM
O/o Executive Officer, Administrative Building, Sitalam, Nandya District, Sitalam - Andhra Pradesh, Pins: 37, E-Mail: sbsirdevasth@gmail.com

Cheque/DD/Cheque Reçu/Check/Check

SPISALA
DEVASTATION

No. : 24-25700105

Dated : 24 Apr 2024

Particulars		Date: 24/11/2024
Account :		Amount
Real Collection From Shops & Dealers (Urban)		6,65,520.00

Through:

UFC. Serials (50) 1042-10535

On Account of:

Being Amount Received From Online - N.G.Prabhakathi.B.1.Lalithambika Complex, Towards - 3
Months Shop Rent per the Period from 01.01.2024 to 30.06.2024 in Sri Lalithambika shopping
Complex,Srisaillam.
Bank Transaction Details:

Bank Transaction Details:

Same Bank Transfer

24-Apr-2004 6,65,520.00

Amount (in words):

INR Six Lakh Sixty Five Thousand Five Hundred Twenty Only

₹ 6,65,620.00

Accounts Asst.

5. perpendent

Executive Officer

P4 (25)

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

Rc.No.D1/COE-14025(34)/75/2023-1. Dt.04/11/2023.

Sub: Endowments Department – Sri Bhramaramba Mallikarjuna Swamyvarla Devasthanam, Srisaillam, Nandyal District – Grant of license rights of 24 vacant plots earmarked in Q & R blocks in Lalithambika Shopping Complex in favour of the Writ Petitioners 1, 3 and 4 in W.P.NO.40167 of 2022 and Writ Petitioners 1 to 7, 9 to 15, 17 to 21, 23 and 24 in W.P.No.40919 of 2022 on a monthly fee of Rs.27,000/- per plot and GST @ 18% extra for a period of 3 years – Orders issued.

- Ref : 1) Rc.No.C2/4820/2018, Dt.14.02.2023 from the Executive Officer of the subject devasthanam.**
2) This office Rc.No.D1/COE-14025(34)/75/2023, Dt.29.07.2023.
3) Rc.No.C2/4820/2018, Dt.06.08.2023 from the Executive Officer of the subject devasthanam.
4) Rc.No.C2/4820/2018, Dt.29.10.2023 from the Executive Officer of the subject devasthanam.

Sri M. Nataraj and 8 others of Srisaillam (V&M), Nandyal District have filed W.P.No.40167 of 2022 on the file of the Hon'ble High Court of A.P with a prayer to declare the action of the 3rd Respondent i.e. the Executive Officer of the subject devasthanam vide Rc.No.C2/4820/2018, Dt.06-12-2022 in taking steps for eviction of the petitioners from their respective shops-cum-residences situated on Pathalaganga Road and Rathasala- Post Office Road of Srisaillam without following due procedure prescribed under the Act and Rules on the ground that the petitioners have not agreed for the proposed fixation of rent and lease period in the newly constructed Sri Lalithambika Shopping Complex at Srisaillam as illegal, irregular, arbitrary, unjustified, unconstitutional, contrary to the Act and Rules framed there under for leasing out immovable properties and unsustainable and pass such other order or

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orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

The said W.P came up for hearing on 13-12-2022 and the learned Standing Counsel submits that insofar as the petitioners 6 to 9 are concerned they have participated on the lucky dip following the orders of this Court dt.10-11-2022 and the shops were allotted to them. Insofar as the petitioners 1 to 5 are concerned, they are not the parties in WP No.23993 of 2022 and other connected cases, wherein the order was passed by this Hon'ble Court on 10-11-2022. However, as it applies to all the petitioners / existing tenants the same exercise can be carried out by the respondent Devasthanam so as to shift all of them at one time to Lalithambika building complex-II and thereafter the removal of the old shops can be undertaken by the 3rd respondent Devasthanam.

As a rejoinder, the learned Standing Counsel submits that the 3rd respondent Devasthanam is not going to undertake any coercive steps for removal of the petitioners 1 to 5 for the present.

"Recording the same, the respondents are given four weeks time to file counters.

In respect of the petitioners 1 to 5 are concerned, status quo shall be maintained, for a period of four (4) weeks. The power supply and water supply, if any disconnected pursuant to the said exercise of allocation of the shops in the above said new building the same can be restored, if the petitioners are not found as defaulters otherwise in respect of the same.

Post after four (4) weeks.

In the meanwhile, counters shall be filed by the respondents".

Accordingly, the E.O, Srisaila Devasthanam has filed counter in the above W.P and it is pending.

Sri T.Md.Rafi and 23 others of Srisallam, Nandyal District have filed W.P No.40919/2022 on the file of Hon'ble High Court of A.P with a prayer to declare the

(24)

action of the 2nd Respondent i.e. Executive Officer of the subject devasthanam in trying to take possession of the shops belonging to the petitioners without following the due process of law as contemplated u/s 83 of the Endowments Act and by resorting to denial of the essential services of power and water and by taking the help of the respondents 3 to 6 viz., COE, S.P, Nandyal, SHO, Nandyal and SI of police, Srisailam Town in undertaking the said action as bad, illegal, arbitrary, opposed to law, one without jurisdiction and pass such other order or orders as the Hon'ble Court may deem fit and proper.

The said W.P came up hearing on 27.12.2022 and the Hon'ble Court directed the 2nd Respondent i.e. Executive Officer of the subject devasthanam to file additional counter affidavit with facts on the demolition of shops and rehabilitation of sitting tenants in Lalithambika Shopping Complex and listed the case on 23.01.2023.

"In the meanwhile, it is open for the petitioners to approach the respondent / Devasthanam even for the allotment of the shops as per the orders of this court passed earlier dated 10.11.2022 and dated 03.03.2022. For the interregnum period, to run their business they can make applications individually to the Devasthanam and if so, they shall be provided in a suitable place, pending further orders.

The appearance of the 2nd respondent (Executive Officer of the subject devasthanam) is dispensed with".

The 2nd Respondent i.e. the Executive Officer of the subject devasthanam has filed counter affidavit in the above W.P and it is dismissed by the Hon'ble High Court on 11.04.2023 as infructuous.

Pursuant to the order dated 13.12.2022 in W.P.No.40167/2022 and order dated 27.12.2022 in W.P.No.40919/2022, the Executive Officer of the subject devasthanam has allotted plots to as many as 3 petitioners from out of 9 petitioners in W.P.No.40167/2022 and 21 petitioners from out of 24 petitioners in W.P.No.40919/2022 in Q & R blocks in Lalithambika Shopping Complex vide his

(J)

office Rc.No.C2/4820/2018, Dt.14.02.2023 subject to approval by the Commissioner of Endowments and submitted proposals in Rc.No.C2/4820/2018, Dt.14.02.2023 to this office to approve the license rights of 24 vacant plots earmarked in Q & R blocks in Lalithambika Shopping Complex in favour of the above said 24 petitioners on a monthly fee of Rs.27,000/- per plot for a period of 3 years from the date of handing over the possession and to collect one year license fee as advance and Rs.1,00,00/- towards deposit from each petitioner.

While the matter stood thus, Sri B. Uma Maheswari and another of Srisailam, Nandyal District have filed W.P No.3956/2023 on the file of Hon'ble High Court of A.P with a prayer to declare the action of the 1st Respondent i.e. the Executive Officer of the subject devasthanam in proposing to construct new blocks i.e., Q and R in the premises of Lalithambika Shopping Complex in front of the Block No.J and K by depriving the petitioners and others to get free road access and causing inconvenience to the existing tenants as arbitrary, illegal and consequently direct the 1st Respondent not to construct the new block i.e., Q and R in Lalithambika Shopping Complex premises in front of the Block No.J and K till the lease period of the petitioners is expired in the interest of justice and the Hon'ble High Court at the time of admission i.e. on 16.02.2023 directed the 1st Respondent i.e. the Executive Officer of the subject devasthanam not to proceed with construction of new blocks i.e., Q and R in the premises of Lalithambika Shopping Complex in front of the Block No.J and K, Srisailam, until further orders.

Necessary counter affidavit has been filed by the 1st Respondent i.e. the Executive Officer of the subject devasthanam in the above W.P and it is dismissed by the Hon'ble Court as withdrawn vide order dated 24.07.2023.

Further, Seelam Kavitha and 5 others of Srisailam, Nandyal District have filed WP.No.3976/2023 on the file of Hon'ble High Court of A.P with a prayer to declare the action of the 3rd Respondent i.e. the Executive Officer of the subject devasthanam in taking up construction of shops in between the J,K,L blocks of Lalithambika Shopping Complex in violation to the master plan of the temple as illegal, arbitrary

(26)

and violative of Articles 14 & 21 of constitution of India and consequently direct the 3rd Respondent i.e. not to establish any shops in between the J,K,L blocks of Lalithambika Shopping Complex by directing the 3rd Respondent to identify any other suitable place for construction of proposed shops by making it clear that, the establishments of the proposed shops in between the J,K,L blocks of Lalitambika Shopping Complex will lead to congestion of the path thereby create havoc and the Hon'ble High Court at the time of admission i.e. on 16.02.2023 directed the 3rd Respondent not to proceed with construction activities of the shops in between J, Q & L of Lalithambika Shopping Complex, Srisailam, until further orders.

Necessary counter affidavits have been filed by the Department as well as the Executive Officer of the subject devasthanam in the above W.P and it is dismissed by the Hon'ble High Court on 12.10.2023 with an observation that this Court does not find any merit in the Writ Petition.

In light of the above and in due consideration of the report submitted by the Executive Officer of the subject devasthanam in the references 1st, 3rd & 4th cited and in exercises of powers vested u/s 82 of the APC & HRI and Endowments Act, 30 of 1987 and the Rules made there under, the Commissioner, Endowments Department, A.P., Vijayawada hereby grants the license rights of 24 vacant plots earmarked in Q & R blocks in Lalithambika Shopping Complex, Srisailam in favour of the Writ Petitioners 1, 3 and 4 in W.P.No.40167 of 2022 and Writ Petitioners 1 to 7, 9 to 15, 17 to 21, 23 and 24 in W.P.No.40919 of 2022 on a monthly fee of Rs.27,000/- per plot and GST @ 18% extra for a period of 3 years from the date of handing over the possession subject to payment of one year license fee as advance and Rs.1,00,00/- towards deposit by each Writ Petitioner as detailed below :

Sl.No	Block Details	Open Site	Area in Sft.	Name of the Writ Petitioner	License Fee per month & GST @ 18% extra Rs.
1	Q Block	1	10'0"X16	Sri M.Nataraj	27,000/-

(27)

			'0" 160 Sft	S/o M.V.Anand Writ Petitioner No.1 in W.P.No.40167 of 2022	
2	Q Block	2	10'0"X16 '0" 160 Sft	Sri A.Mallikarjuna S/o A.Veerabhadraiah Writ Petitioner No.2 in W.P.No.40919 of 2022	27,000/-
3	Q Block	3	10'0"X16 '0" 160 Sft	Sri T.M.D.Rafi S/o Mahabooblal Writ Petitioner No.1 in W.P.No.40919 of 2022	27,000/-
4	Q Block	4	10'0"X16 '0" 160 Sft	Smt. D.Ramulamma W/o Linga Reddy Writ Petitioner No.6 in W.P.No.40919 of 2022	27,000/-
5	Q Block	5	10'0"X16 '0" 160 Sft	Sri M.V.Narayana S/o Subba Rao Writ Petitioner No.20 in W.P.No.40919 of 2022	27,000/-
6	Q Block	6	10'0"X16 '0" 160 Sft	Sri K.Siva Ramakrishna S/o Subbanna Writ Petitioner No.19 in W.P.No.40919 of 2022	27,000/-
7	Q Block	7	10'0"X16 '0" 160 Sft	Sri S.Nyamad S/o Murthuja Writ Petitioner No.9 in W.P.No.40919 of 2022	27,000/-
8	Q Block	8	10'0"X16 '0" 160 Sft	Sri T.Gopinatha Reddy S/o T.Narayana Reddy Writ Petitioner No. 4 in W.P.No.40167 of 2022	27,000/-
9	Q Block	9	10'0"X16 '0" 160 Sft	Sri D.Mallesha S/o Krishna Swamy Writ Petitioner No.4 in W.P.No.40919 of 2022	27,000/-
10	Q Block	10	10'0"X16 '0"	Sri Ch.Venkatesh S/o Sattaiah	27,000/-

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			160 Sft	Writ Petitioner No.17 in W.P.No.40919 of 2022	
11	Q Block	11	10'0"X16 '0" 160 Sft	Sri S.Mohammad Rafi S/o Murthuja Writ Petitioner No.7 in W.P.No.40919 of 2022	27,000/-
12	Q Block	12	10'0"X16 '0" 160 Sft	Sri S.Malik S/o Khadar Basha Writ Petitioner No.12 in W.P.No.40919 of 2022	27,000/-
13	R Block	1	10'0"X16 '0" 160 Sft	Sri K.Swamy S/o Kondaiah Writ Petitioner No.23 in W.P.No.40919 of 2022	27,000/-
14	R Block	4	10'0"X16 '0" 160 Sft	Sri D.Sudhakar S/o Munidas Writ Petitioner No.3 in W.P.No.40167 of 2022	27,000/-
15	R Block	5	10'0"X16 '0" 160 Sft	Sri Ch.Vishnatham S/o Lakshminarayana Writ Petitioner No.13 in W.P.No.40919 of 2022	27,000/-
16	R Block	7	10'0"X16 '0" 160 Sft	Smt Noorjahan Bee W/o Ameer Basha Writ Petitioner No.18 in W.P.No.40919 of 2022	27,000/-
17	R Block	8	10'0"X16 '0" 160 Sft	Sri S.K.Rahamthulla S/o Vali Writ Petitioner No.10 in W.P.No.40919 of 2022	27,000/-
18	R Block	9	10'0"X16 '0" 160 Sft	Smt P.Jaffer Bee W/o Hussinkhan Writ Petitioner No.21 in W.P.No.40919 of 2022	27,000/-
19	R Block	10	10'0"X16 '0" 160 Sft	Sri T.Mohammad Ali S/o Murthuja Writ Petitioner No.24 in	27,000/-

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				W.P.No.40919 of 2022	
20	R Block	11	10'0"X16 '0" 160 Sft	Sri S.M.Basha S/o Mahaboob Miya Writ Petitioner No.11 in W.P.No.40919 of 2022	27,000/-
21	R Block	12	10'0"X16 '0" 160 Sft	Sri S.Jameel Ahamad S/o Abdul Mazeed Writ Petitioner No.14 in W.P.No.40919 of 2022	27,000/-
22	R Block	13	10'0"X16 '0" 160 Sft	Sri T.M.Rabbani S/o Mahaboob Lal Writ Petitioner No.3 in W.P.No.40919 of 2022	27,000/-
23	R Block	14	10'0"X16 '0" 160 Sft	Sri S.Jilani Basha S/o S.Murthuja Hussin Writ Petitioner No.15 in W.P.No.40919 of 2022	27,000/-
24	R Block	17	10'0"X16 '0" 160 Sft	Sri S.Iqbal S/o Abdul Hameed Writ Petitioner No.5 in W.P.No.40919 of 2022	27,000/-

The Executive Officer of the subject devasthanam is clarified that the grant of license in favour of the persons professing other than Hinduism as their religion in the above statement is subject to outcome of S.L.P. (C) No.1989/2020 pending before the Hon'ble Supreme Court of India in the matter. He is also clarified that the grant of license in favour Writ Petitioners 1, 3 & 4 in W.P.No.40167 of 2022 in the above statement is subject to outcome of W.P.No.40167 of 2022 filed by Sri M.Nataraj and 8 others of Srisaillam, Nandyal District.

The Executive Officer of the subject devasthanam shall take further action as per rules.

[By order of the Commissioner]

D Bramaramba

Ps (30)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE FIFTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO

IA No. 1 OF 2024

IN

WP NO: 23994 OF 2024



Between:

Smt N G Prabhavathi, W/o Nagaraju Aged about 45yrs, Occ Business R/o
H.No.2-4-94/65, Pedda Satram Srisailam, Nandyal District

...Petitioner(s)

(Petitioner in WP 23994 OF 2024

on the file of High Court)

AND

1. Sri Bhramaramba Mallikarjuna Swamy Varla Devasthanam, Srisailam,
Nandyal Rept. By its Executive Officer
2. The Commissioner of Endowments, Vijayawada, NTR District
3. The State of Andhra Pradesh, Rept. By its Principal Secretary,
Endowments Department, Secretariat, Velagapudi, Amaravathi, Guntur

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner :SRI P NAGENDRA REDDY

**Counsel for the Respondent Nos.1 & 2 :G RAMANA RAO (SC FOR
ENDOWMENTS RAYALASEEMAREGION)**

Counsel for the Respondent No.3 :GP FOR ENDOWMENTS

(31)

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.1 to remove the illegal stalls placed towards Western Side of the Shop No.1 of B-Block, Sri Lalitambika Shopping Complex, Srisailam forthwith, Pending disposal of WP No. 23994 of 2024, on the file of the High Court.

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

ORDER:

Heard both the learned counsels. Perused the material available on record.

Having regard to the facts and circumstances of the case and on considering the submissions of the learned counsel for the petitioner, the respondents are directed to remove the illegal stalls placed towards western side of the Shop No.1 of B-Block, Sri Lalitambika Shopping Complex, Srisailam along with any illegal occupations, if any within a period of three (03) weeks from today. Further, good relation be maintained between the business people and department people.

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

For ASSISTANT...

To,

1. The Executive Officer, Sri Bhramaramba Mallikarjuna Swamy Varla Devasthanam, Srisailam, Nandyal

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2. The Commissioner of Endowments, Vijayawada, NTR District
(Addressees 1 & 2 by RPAD)
3. The Principal Secretary, Endowments Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur **(By Special Messenger)**
4. One CC to SRI. P NAGENDRA REDDY Advocate [OPUC]
5. One CC to SRI. G RAMANA RAO (SC FOR ENDOWMENTS RAYALASEEMAREGION) [OPUC]
6. Two CCs to GP FOR ENDOWMENTS, High Court of Andhra Pradesh [OUT]
7. **One spare copy**

PSR

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HIGH COURT

Dr.KMR,J

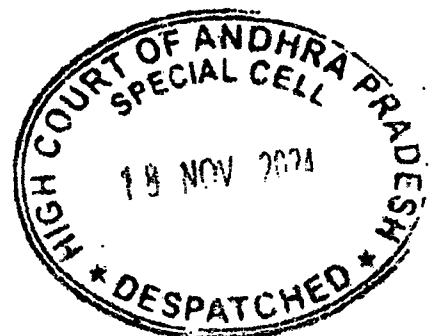
DATED:05/11/2024

NOTE: POST ON 26.11.2024.

ORDER.

IA No. 1 OF 2024
IN
WP NO: 23994 OF 2024

INTERIM DIRECTION



PG

(34)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE SECOND DAY OF AUGUST

TWO THOUSAND AND TWENTY FOUR

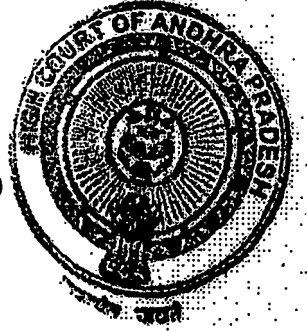
:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO

IA NO.1 OF 2024

IN

WP NO: 16781 OF 2024



Between:

SMT. N G Prabhavathi, W/o Nagaraju Aged about 45yrs, Occ Business
R/o H.No.2-4-94/65, Pedda Satram Srisailam, Nandyal District

.... Petitioner

AND

1. Sri Bhramaramba Mallikarjuna Swamy Varla Devasthanam, Srisailam,
Nandyal Rept. By its Executive Officer
2. The Commissioner of Endowments, Vijayawada, NTR District
3. The State of Andhra Pradesh, Rept. By its Principal Secretary,
Endowments Department, Secretariat, Velagapudi, Amaravathi, Guntur

...Respondents

Counsel for the Petitioner : SRI P NAGENDRA REDDY

Counsel for the Respondent Nos. 2 & 3: GP FOR ENDOWMENTS

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.1 not to construct the wall towards Western side of the Shop No.1 of B-Block, Sri Lalitamba Shopping Complex, Srisailam, Pending disposal of WP No. 16781 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the

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following order. (The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER

"Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Endowments appearing for the respondents. Perused the material available on record.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioner, the 1st respondent is directed not to construct wall towards western side of Shop No.1 of B-Block, Sri Lalitamba Shopping Complex, Srisailam till the next hearing."

Sd/-K.TATA RAO

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

- 1. The Executive Officer , Sri Bhramaramba Mallikarjuna Swamy Varla
Devasthanam, Srisailam, Nandyal**
- 2. The Commissioner of Endowments, Vijayawada, NTR District(1 & 2 by
RPAD-)**
- 3. The Principal Secretary, State of Andhra Pradesh, Endowments
Department, Secretariat, Velagapudi, Amaravathi, Guntur (by Special
Messenger)**
- 4. One CC to SRI. P NAGENDRA REDDY Advocate [OPUC]**
- 5. Two CCs to GP FOR ENDOWMENTS, High Court of Andhra
Pradesh.[OUT]**
- 6. One spare copy**

ksr

//TRANSLATION//

Dt. 16.01.2025
SrisailamTo,
The Executive Officer,
Dear Sir,

I, NG Prabhavati, humbly bring to your kind attention the following matter: I have been running my business in B1 Corner Shop at Lalithambika Shopping Complex, paying a rent of Rs. 1,11,000 per month (Rs. 13,32,000 annually). I have already paid the rent for three years amounting to Rs. 13,32,000 for the third year as well. For the first 18 months, I operated my business successfully. However, after that, the temple staff brought a JCB machine, demolished my shop, and threw out my goods, causing immense damage. The entire shop is now filled with dust, sand, and cement. They even constructed a wall in front of the shop and placed benches, further obstructing access. For the past 7 months, I have repeatedly approached your office and submitted written requests seeking justice. Despite my efforts, no resolution has been provided. As a single woman, I rely solely on this business for my livelihood. The destruction of my shop caused significant financial loss, including the breakage of valuable items like bangles. I am already burdened with loans taken to pay rent and run my business. I have obtained a court order, yet I am continuously subjected to harassment. I have no support system, and after seven years of struggle, I am left exhausted and desperate. I sincerely request you to allow me to continue running my business in the same shop at the same rent for the next 11 years so that I can recover my losses and repay my debts. With folded hands, I appeal to your kind heart to grant justice to a woman in distress.

Yours respectfully,
Sd/-xx
N.G. Prabhavathi.

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आर. पी - 54
R.P - 54

भारतीय डाक विभाग
DEPARTMENT OF POSTS - INDIA
पावती / ACKNOWLEDGEMENT



पंजीकृत पत्र / पार्सल प्राप्त हुआ
Received Registered Letter / Parcel /
क्रमांक / No. तारीख / Dated. का / of.
बीमा का मूल्य रुपये में
Insured for Rupees
प्राप्तकर्ता
Addressed to
* यदि लागू न हो तो काट दें *
* Strike off *

वितरण डाकघर का तारीख - मोहर
Date Stamp of office of delivery

EXCUTIVE OFFICER
S.B.M.S. DEVASTHANAM
हस्ताक्षर नाम / Signature and Name



प्रेषक डाकघर का नाम-मोहर
Name-stamp of Office of posting

डाक सेवार्थ
On Postal
Service

To,

N.G. Prabhavathi
SBMS Devasthanam
Srisaigam

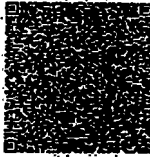
पिन / PIN 518101

P8

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నల్లవ గురు ప్రభావతి
Nallava Guru Prabhavathi
పట్టం 36 / పం: నాగరాజు
స్త్రీ / Female



5788 6970 9506

నా ఆధార్, నా గుర్తింపు



ఆంధ్రప్రదేశ్ ప్రభుత్వం
Government of Andhra Pradesh

చిరునామా: C/O నల్లవ నాగరాజు, 2-4-94/55, ఎడ్లపల్లి,
పిల్లం, పిల్లం, పిల్లం, పిల్లం, కర్నూలు, ఆంధ్ర
ప్రదేశ్, 518101

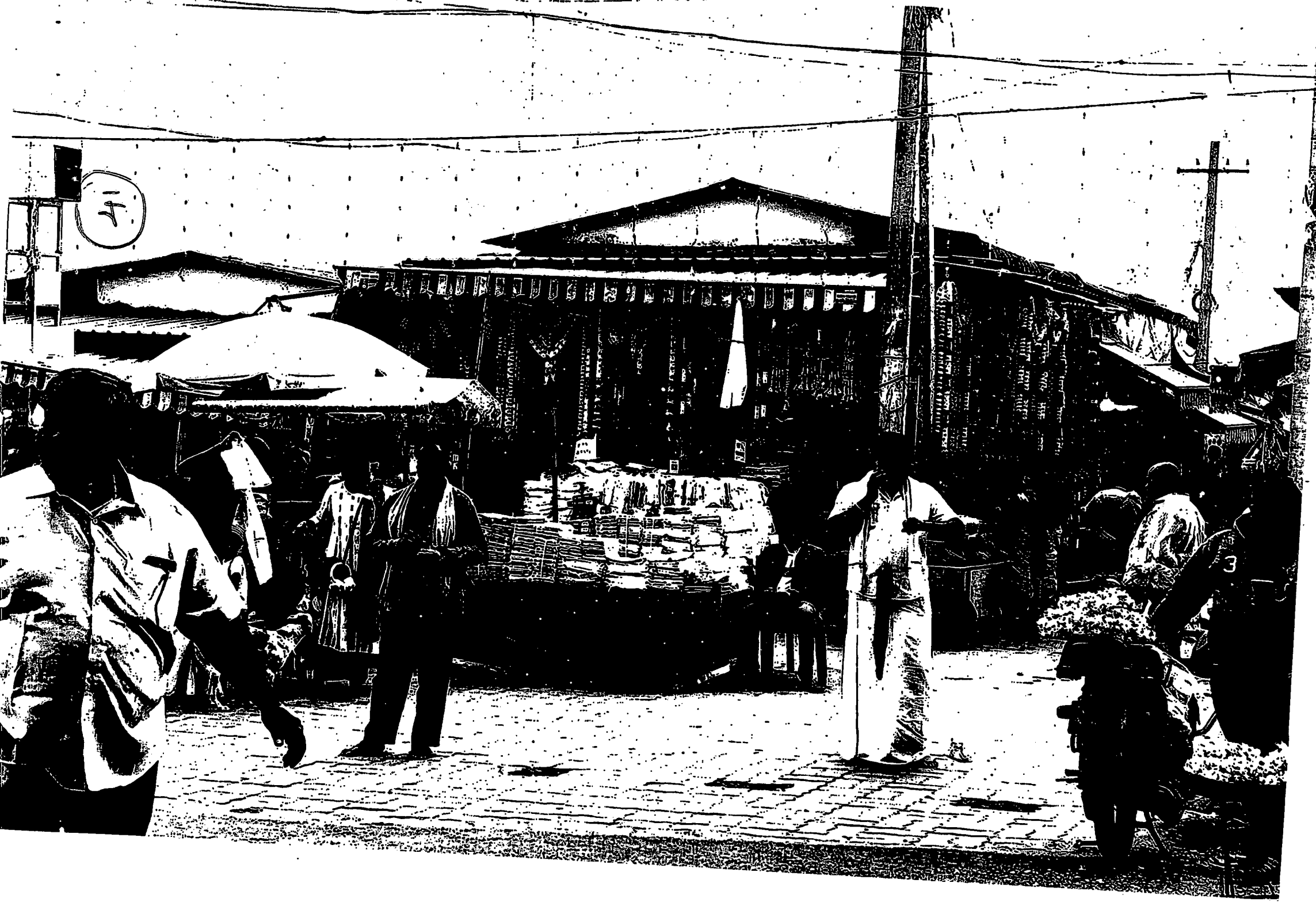
Address: C/O Nallava Nagaraju, 2-4-94/55,
peddapaallem, srisailem, srisailem, Srisailem,
Srisailem, Kurnool, Andhra Pradesh, 518101

5788 6970 9506



help@uidai.gov.in





MEMORANDUM OF WRIT PETITION
(UNDER SEC. 151 C.P.C.)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. of 2025

Between:

Nallava Guru Prabhavathi, C/o Nallava Nagaraju,
Aged about 45 Years, Occ: Business,
R/o # 2-4-94/65, Pedda Satram,
Srisailam, Nandyal District

...Petitioner

AND

1. The State of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.
2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
NTR District.
3. Sri BrahamramabaMallikarjuna Swamy Vari Devasthanam,
Srisailam, Kurnool District
Rep. by its Executive officer

...Respondents

For the reasons stated in the accompanying affidavit filed in the support of the above writ petition Pending disposal of the writ petition, it is therefore prayed that this Hon'ble Court may be pleased to direct the respondents to consider the petitioner's representation dated 16.01.2025 in terms of the proceedings of 2nd respondent in D.Dis No. D2/COE-14025(51)/13/2024 dated 06.03.2024 and pass such other order or orders, interest of the justice.

Amaravati
Date: 27.01.2025

D.V. I
COUNSEL FOR THE PETITIONER

Gp

DISTRICT :: KURNOOL

HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

I.A. No. of 2025

in

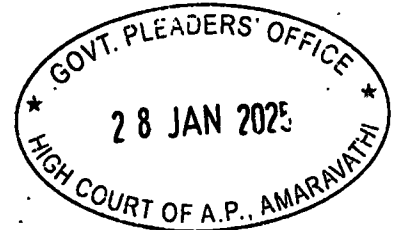
W.P. No. of 2025

Endow

DIRECTION PETITION

Gf-101 —
B-901 —

Filed on:



SRI D.V.SASIDHAR(10944)

MVS NIKHIL KASHYAP (23588)

COUNSEL FOR PETITIONERS

Tuesday, Jan 28, 2025 12:14:19 PM

APOLCMS

REV070210586



Acknowledgement No.:

7702237715