

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

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W.P.NO.

OF 2025

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Amaravathi,
Dt: 17-02-2025

M. Widyabaga
COUNSEL FOR THE PETITIONERS

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MEMORANDUM OF WRIT PETITION
(filed under Article 226 of the Constitution of India)

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

W.P.NO. OF 2025

Between:

1. Bosle Apparao, s/o Hariba,
Aged about: 70 years, Occ: Goldsmith,
Potti Sreeramulu Street, Pamur Village and Mandal,
Prakasam District.
2. Aakula Ramana Reddy, s/o China Venkata Reddy,
Aged about: 45 years, occ: Agriculture,
r/o Kondareddypally Village,
Gundinarva Post, Varikuntapadu Mandal,
SPSR Nellore District.
3. Smt.Manam Subbulu, w/o Ramanaiah,
Aged about: 60 years, occ: Housewife,
r/o East Street,
Pamuru Village and Mandal, Prakasam District. .. Petitioners

And

1. The State of Andhra Pradesh,
Revenue (Endowments-I) Department,
Secretariat, Velagapudi, Amaravathi,
Rep.by its Principal Secretary.
2. The Commissioner of Endowments,
State of Andhra Pradesh,
Gollapudi, Vijayawada.
3. Sri Bhujangeswara Swamy Vari Devastanam,
Pamuru Village and Mandal, Prakasam District,
Andhra Pradesh, rep.by its Executive Officer.
4. The Assistant Commissioner of Endowments,
Prakasam District at Ongole. .. Respondents

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The address of the petitioners for service of summons, notices etc., is that of their counsel Mr. M.Vidyasagar, Advocate, Flat No.411, Samruddhi Residency, Paturu Road, Tadepalli, Guntur, Andhra Pradesh or at High Court Buildings, A.P.State, Amaravathi.

For the reasons stated in the accompanying affidavit, it is prayed that the Hon'ble Court may be pleased to issue a writ, order or direction, more particularly a writ in the nature of Writ of **MANDAMUS** declaring the action of the 3rd respondent i.e., Sri Bhujangeswara Swamy Vari Devastanam, Pamuru Village and Mandal, Prakasam District rep.by its Executive Officer in issuing the notices to the petitioners - vide Rc.No.41A/2025, dated 04-02-2025 to the 1st petitioner, Rc.No.44A/2025, dated 03-02-2025 to the 2nd petitioner and Rc.No.46A/2025, dated 03-02-2025 to the petitioner No.3, under Sec.83(3) of the Endowments Act, 30 of 1987 as amended through Act, 36 of 2023, dated 27-10-2023 for directing the petitioners for removal of encroachment and holding that possession will be taken within 15 days from the date of receipt of the notices dated 04-02-2025 and 03-02-2025 respectively, 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.

Amaravathi,
Dt: 17-02-2025


COUNSEL FOR THE PETITIONERS

Prakasam District

**HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI**

W.P.NO.

OF 2025

WRIT PETITION

Filed by:
Mr. M.Vidyasagar (8165)
Counsel for the Petitioners

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P.NO.

OF 2025

Between:

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Aged about: 70 years, Occ: Goldsmith,
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Prakasam District.
2. Aakula Ramana Reddy, s/o China Venkata Reddy,
Aged about: 45 years, occ: Agriculture,
r/o Kondareddypally Village,
Gundinarva Post, Varikuntapadu Mandal,
SPSR Nellore District.
3. Smt.Manam Subbulu, w/o Ramanaiah,
Aged about: 60 years, occ: Housewife,
r/o East Street,
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.. Petitioners

And

1. The State of Andhra Pradesh,
Revenue (Endowments-I) Department,
Secretariat, Velagapudi, Amaravathi,
Rep.by its Principal Secretary.
2. The Commissioner of Endowments,
State of Andhra Pradesh,
Gollapudi, Vijayawada.
3. Sri Bhujangeswara Swamy Vari Devasthanam,
Pamuru Village and Mandal, Prakasam District,
Andhra Pradesh, rep.by its Executive Officer.
4. The Assistant Commissioner of Endowments,
Prakasam District at Ongole.

.. Respondents

A. Ramana Reddy

AFFIDAVIT OF THE PETITIONERS HEREIN

I, Aakula Ramana Reddy, s/o China Venkata Reddy, aged about: 45 years, occ:Agriculture, r/o Kondareddypally Village, Gundinarva Post, Varikuntapadu Mandal, SPSR Nellore District, now temporarily having come down to Amaravathi, do hereby solemnly and sincerely affirm and state on oath as follows:

1. I am the petitioner No.2 herein and I am authorized to swear to this affidavit on behalf of petitioners 1 & 3 and as such I am well acquainted with the facts of the case.

2. The present writ petition is filed questioning the notices issued by the respondent No.3 i.e., the Executive Officer of Sri Bhujangeswara Swamy Vari Devasthanam, Pamuru Village and Mandal, Prakasam District vide Notice Rc.No.41A/2025, dated 04-02-2025 issued to the 1st petitioner, Notice Rc.No.44A/2025, dated 03-02-2025 issued to the 2nd petitioner and Notice Rc.No.46A/2025, dated 03-02-2025 issued to the 3rd petitioner wherein by the said notices the Executive Officer of the 3rd respondent temple directed the petitioners herein to vacate the schedule mentioned premises within 15 days from the date of receipt of the notice, failing which action will be taken under due process of law as contemplated under Act, 36 of 2023, dated 27-10-2023 published in AP Gazette, Para IV-B, Extraordinary on 27-10-2023 for removal of encroachment and possession will be taken by following the said procedure as contemplated.

3. Before advertng to legal contentions a few facts leading to the filing of the present petition may be stated as follows:

A. Ramana Reddy

4. All the petitioners herein had purchased the land covered in the present writ petition through the patta holders and thorough various registered sale deeds. In so far as the 1st petitioner is concerned he purchased the property which is totally admeasuring an extent of Acs.1-15 cents in Sy.No.441/3 from the pattedar i.e., Gajulapally Ramanaiah who had been issued a ryothwari patta under Rule 7 and in accordance with the provisions of Sec.4 of the AP (Andhra Area) Inams (Abolition and Conversion into Ryothwari) Act, 1956. The 1st petitioner had been issued pattedar pass books and title deeds bearing patta No.1021 and he had been enjoying the land without any let and hindrance. So also the 1-B Adangals also indicates the land in Sy.No.441/3 as a land purchased through a sale deed. The 2nd petitioner who is in possession of the land admeasuring an extent of Ac.0-95 cents had purchased the said land from Gajulapally Ramanaiah who was also issued a ryothwari patta under Rule 7 and in accordance with the provisions of Sec.4 of the AP (Andhra Area) Inams (Abolition and Conversion into Ryothwari) Act, 1956. The 2nd petitioner also had been issued pattedar pass book and title deed bearing patta No.611. So also the 3rd petitioner who is in possession of the land admeasuring an extent of Ac.1-01 cents in Sy.No.442/3 having purchased the said land from Tallapudi Nageswarao who was granted a ryothwari patta under Rule 7 and in accordance with the provisions of Sec.4 of the AP (Andhra Area) Inams (Abolition and Conversion into Ryothwari) Act, 1956. The 3rd petitioner also had been issued the pattedar pass book and title deeds vide patta No.018.

5. Thus it is an undisputed fact that all the petitioners had purchased the said land through registered sale deeds and all the registered sale deeds were executed in the office of the Sub-Registrar, Kanigiri, Prakasam District. The case of the 1st petitioner the alienation was made through a

A. Ramana Reddy

registered sale deed Doc.No.455/1996, dated 26-02-1996 in the office of the Sub-Registrar, Kanigiri, Prakasam District. So also the 2nd petitioner who purchased the said land by virtue of a registered sale deed Doc.No.4997/2002, dated 29-04-2002 and the said sale deed was registered in the office of the Sub-Registrar, Kanigiri, Prakasam District. In so far as the 3rd petitioner is concerned the said property was also purchased through a registered sale deed which was registered in the office of the Sub-Registrar, Kanigiri. Thus the petitioners who purchased the said lands from the inamdars were in possession and enjoyment without any let and hindrance. However this issue may not be very much necessary for the adjudication of the present case as the issuance of the impugned notice had emanated consequent to the Act, 16 of 2013 promulgated by the AP Government which amended the AP (Andhra Area) Inams (Abolition and Conversion into Ryothwari) Act, 1956. The said amendment was brought into force through an extraordinary Gazette published on 26-09-2013.

6. The bringing into force Act 16 of 2013 has taken place for the reason that the earlier attempt to disturb the rights of the inamdars through Sec.76 of the Act, 30 of 1987 wherein the proviso was struck down by the Hon'ble Supreme Court in a reported decision in **1996 SC 966** where it was held that unless the principal act is amended the attempt to disturb the rights of the inamdars by invoking the provisions of the Endowments Act under Sec.76 is unconstitutional as the Hon'ble Apex Court held that the Inams Abolition Act is a code by itself and the vested rights given to inamdars cannot be taken over by invoking the provisions of the Endowments Act. Obviously in the present case the same attempt is being made by the 3rd respondent who now invokes the provisions of the amended Act, 36 of 2023 and the notice is issued under Sec.83(2) of the Endowments Act.

A. Ramana Reddy

7. The petitioner No.1 had been issued an initial notice by the 3rd respondent bearing Letter No.41/2025, dated 03-01-2025 under Sec.83(2) of the Endowments Act, 30 of 1987 on which the 1st petitioner submitted an explanation on 23-01-2025, consequent to which the final impugned notice was issued in Rc.No.41A/2025, dated 04-02-2025. So also the 2nd petitioner had been issued a notice under Sec.83(2) vide letter No.44/2025, dated 03-01-2025 to which the petitioner No.2 submitted his explanation on 23-01-2025, consequent to which the final impugned notice was issued in Rc.No.44A/2025, dated 03-02-2025. So also the 3rd petitioner was issued a notice vide letter No.39/2025, dated 03-01-2025 under Sec.83(2) of the Endowments Act, but she was not served a notice on par with petitioners 1 and 2 who were served in person which facilitated the submission of an explanation. Consequent to the said notice the 3rd petitioner was issued a final notice vide Rc.No.46A/2025, dated 03-02-2025 and all the contents of the said notice are one and same as issued to the petitioners 1 and 2. The Executive Officer of the subject institution has total knowledge about the said alienations effected relating to the subject land as this land was deemed to be one vested with the original inamdar but the consequent amendment which was effected by the AP State i.e., the 1st respondent 26-09-2013.

8. A perusal of the amendment effected vide Act, 16 of 2023 with reference to Sec.4 of the principal Act as amended in Sec.3 of the Amended Act indicates that where any person other than concerned charitable or religious institution or endowment obtained a patta for such inam after the commencement of the AP (Andhra Area) Inams (Abolition and Conversion into Ryothwari) Act, 1956 such patta shall and shall be deemed always to have been null and void and no effect shall be given to such patta granted.

A. Ramana Reddy

9. So also in Sec.7 of the principal Act as amended in the present Act under Sec.4 postulates that no person shall be entitled to ryothwari patta in respect of any inam land given to the service holder or other employee of an institution or endowment or tenant having permanent occupancy rights, alienee or any other person in any capacity in any other manner. The section further holds that notwithstanding anything inconsistent there that contain in any other law for the time being in force having effect by virtue of any such law judgment, decree, compromise, order, or any judicial or quasi-judicial authority, any ryothwari patta granted before the commencement of this (amendment) Act, 2011 to any service holder or other employee of a charitable or religious institution or endowment shall be valid so long as themselves or their lineal qualified descendants render service for which the inam is given.

10. So also Sec.8 of the principal act as amended under Sec.5 indicates that in case of inam land held by charitable or religious institution or endowment no tenant shall have a right of permanent occupancy of the land. A perusal of the amended Act i.e., Act, 16 of 2013 which came into force on 26-09-2013 nowhere indicates an automatic right to the charitable or religious institution to declare themselves as the absolute title holders of the land for which pattas were granted to various persons and the amendment effected does not indicate any such automatic right for taking possession of the land under the provisions of the Endowments Act. The Inams Abolition Act is an independent code by itself and it was very clearly held that the procedure for taking over the possession of the inam lands is through a separate statutory provision which is clearly indicated under Act, 30 of 1987. Obviously the present impugned notice is original issue under Sec.83(2) of the Endowments Act, 30 of 1987 and the final notice is issued under Sec.83(3) which is absolutely impermissible.

A. Ramana Reddy

11. The Endowment Act, 30 of 1987 gives a specific proviso for resumption of inam lands wherein it is indicated that under Sec.77(1) the Revenue Divisional Officer either suo mottu or on an application of the trustee or a charitable institution or endowment or of the Commissioner or any person having interest in the institution or endowment authorized by the Commissioner, by the order resumption the whole or any portion of such inam land referred to under Sec.75 on all or the following grounds ie., indicated in (i), (ii) and (iii). So also under sub-section (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 alienation, if 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 effected by such order and consider the objections, if any after holding such enquiry as may be prescribed.

12. So also under Sub-section (4)(a) postulates that where any inam land or portion thereof is resumed under this section, the Revenue Divisional Officer shall, by order grant a ryothwary patta in respect of the inamd land or portion thereof to the charitable or religious institution concerned and where the resumption is made on the ground specified in item (ii) of sub-section (1) to any charitable or religious institution as the Commissioner may recommend.

13. So also sub-section (b) of Sec.77(3) indicates that the order granting the ryothwari patta under clause (a) shall on application made to the Revenue Divisional Officer within the time prescribed be executed by him in accordance with such rules as may be made in this behalf. Thus a

A. Ramareddy

perusal of Sec.77 very clearly indicates a procedure contemplated for resumption of the inam lands and obviously in the present case the lands covered in the present writ petition in possession by the petitioners 1 to 12 cannot be resumed by invoking the provisions of the amended Act 36 of 2023 under Sec.83(3) which is ex-facie illegal and the said notice issued is contrary to the statute and it has to be held as one without jurisdiction.

14. A perusal of the amended Act, 36 of 2023 which was brought into force on 27-10-2023 is an amendment brought to the existing provisions of the Endowments Act, 30 of 1987 and nowhere under the said proviso the Tribunal is empowered to adjudicate the issue relating to the inam lands. The present notice issued for the resumption of the inam land is not covered under the said enactment.

15. The notice issued under Sec.83(3) directing the petitioners to evict the premises and handover the vacant possession to 3rd respondent i.e., the Executive Officer of Sri Bhujangeswara Swamy Vari Devasthanam, Pamuru Village and Mandal, Prakasam District is ex-facie illegal for the reason that the notice suffers from inherent lack of jurisdiction and one without jurisdiction as any resumption of the inams land has to be done strictly under Sec.77 of the Endowments Act which specifically lays down a procedure for resumption of the inam lands. The amendment referred by the Executive Officer of the 3rd respondent temple referring to amended act under Act, 16 of 2013 of the AP (Andhra Area) Inams (Abolition and conversion into Ryothwari) Act, 1956 does not provide a deemed proviso wherein by the said amendment a charitable or a religious institution automatically becomes an inamdhar thus providing an absolute title without there being a patta granted under Sec.77 of the Endowments Act by the Revenue Divisional Officer under Sec.77(4)(a), thus viewed from any angle

A. Ramanareddy

the impugned notices issued by the respondent No.3 is ex-facie illegal and one without jurisdiction and hence has got to be said as bad in law. The Hon'ble High Court in similar case prima facie was satisfied about the lack of jurisdiction on the part of the Executive Officer who issued the impugned notices and granted interim suspension in W.P.No.3696 of 2025, dated 12-02-2025.

16. The petitioners have not filed any other petition or initiated any other legal proceeding seeking the relief claimed in the present petition. The petitioners have no other efficacious alternative remedy except to invoke the extra ordinary original jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.

17. Hence, under these circumstances, the petitioners is constrained to approach this Hon'ble Court for issuance of a Writ, Order or Direction, more particularly a Writ in the nature of Writ of **MANDAMUS** declaring the action of the 3rd respondent i.e., Sri Bhujangeswara Swamy Vari Devastanam, Pamuru Village and Mandal, Prakasam District rep.by its Executive Officer in issuing the notices to the petitioners - vide Rc.No.41A/2025, dated 04-02-2025 to the 1st petitioner, Rc.No.44A/2025, dated 03-02-2025 to the 2nd petitioner and Rc.No.46A/2025, dated 03-02-2025 to the petitioner No.3, under Sec.83(3) of the Endowments Act, 30 of 1987 as amended through Act, 36 of 2023, dated 27-10-2023 for directing the petitioners for removal of encroachment and holding that possession will be taken within 15 days from the date of receipt of the notices dated 04-02-2025 and 03-02-2025 respectively, 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.

A. Rama Rao

18. Pending disposal of the main writ petition, the petitioners herein pray that the Hon'ble Court may be pleased to **SUSPEND** the notices of the 3rd respondent i.e., Sri Bhujangeswara Swamy Vari Devasthanam, Pamuru Village and Mandal, Prakasam District rep.by its Executive Officer issued vide Rc.No.41A/2025, dated 04-02-2025 to the 1st petitioner, Rc.No.44A/2025, dated 03-02-2025 to the 2nd petitioner and Rc.No.46A/2025, dated 03-02-2025 to the 3rd petitioner, so as to enable the petitioners to be in possession of the lands – the 1st petitioner is in possession of the land admeasuring an extent of Acs.1-15 cents in Sy.No.441/3, the 2nd petitioner is in possession of the land admeasuring an extent of Ac.0-95 cents in Sy.No.441/3 and the 3rd petitioner is in possession of the land admeasuring an extent of Acs.1-01 cents in Sy.No.442/3, situated at Pamuru Village and Mandal, Prakasam District, and pass such other order or orders as the Hon'ble Court may deem fit and proper.



Deponent.

Solemnly affirmed and signed
On this the 17th day of February, 2025
at Amaravathi.

Before me,

Advocate, Amavarathi.

10th and last page
total No.of corrections:

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VERIFICATION STATEMENT

I, Aakula Ramana Reddy, s/o China Venkata Reddy, petitioner No.2 herein, acquainted with the facts do hereby verify and state that the contents of paras 1 to 15 etc., of the affidavit filed in support of the Writ Petition are true to my personal knowledge, those of paras 1 to 15 etc., are facts true to my knowledge based on information and those of paras 16 to 18 etc., are true to my knowledge based on records and believed to be correct and those of paras 16 to 18 etc., are based on legal advice believed to be correct.

Verified at Amaravathi on this the 17th day of February, 2025

ADVOCATE



DEPONENT

Orders passed by the Executive Officer, Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District Under Sec.83(2) of Endowments Act 30/87 as Amended through Amended Act 36 of 2023

Rc.No. 41A/2025, dated 04/02/2025.

Sub:- Endowments Department – Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District temple is the absolute owner of the property i.e., an extent of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District and in which an extent of Ac.1-15 cents out Ac.5-66 cents is encroached by Sri Bosle Apparao S/o. Haribabu C/o. Santosh, Gold Smith, Potti Sriramulu Street, Pamuru Village and Mandal, Prakasam District – Notice dated 03-01-2025 issued under Sec.83(2) of Endowments Act 30/87 as Amended through the Amended Act 36/2023, dated 27-10-2023 – Notice received by him - Explanation / reply submitted on 23-01-2025 – Perused the contents of the reply / explanation – contents in the reply / explanation are not tenable - Perused the contents of the records of the temple which shows that Sri Bosle Apparao S/o. Haribabu C/o. Santosh had been in un-authorized occupation of temple land which is nothing but encroachment - Orders passed directing the above encroacher shall remove her encroachment within 15 days from the date of receipt of this order – else possession will be taken U/s.83(3) of the Endowments Act 30/87- Regarding.

Ref:- 1) Notice dated 03-01-2025 Sri Bosle Apparao S/o. Haribabu C/o. Santosh, Gold Smith, Potti Sriramulu Street, Pamuru Village and Mandal, Prakasam District.

2) Temple Approved Property Register U/s.43(10) of the Endowments Act 30/87.

3) Pattadar passbook issued in the name of Sri Bhujangeswara swamy temple, Pamuru Village and Mandal, Prakasam District, with patta No.579.

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Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District, is the absolute owner of the property i.e., an extent of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District, which is an Inam land meant for getting done Bhajantri services in the temple as clearly mentioned in the schedule here under. The Approved Property Register of the temple U/Sec.43 of the Endowments Act 30/87 vide Rc.No.A4/527308/2023 dated 04-05-2024 clearly shows that the said property is temple property. But, the land in an extent of Ac.1-15 cents out of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District had been under the un-authorized possession and enjoyment of Sri Bosle Apparao S/o. Haribabu.

Under reference 1st cited, a Regd. notice 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 was issued to Sri Bosle Apparao S/o. Haribabu intimating him that the schedule property is temple land which is meant for getting done Bhajantri services in the 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 an encroacher U/Sec.83(2) of the Endowments Act 30/87 and shall not removed 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 notice that if he has no explanation to offer in that regard, he should vacate the premises of the schedule mentioned property within 7 days and shall handover the vacant possession of the same to the Executive Officer of the subject temple.

It was further intimated to him that in case of failure on his part to submit any explanation within the stipulated time or if he failed to vacate the schedule premises, in case he has no explanation to offer, appropriate action will be taken against him as per the provisions of Amended Section 83 of A.P. Charitable and Hindu Religious Institutions and Endowments Act 30/87.

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Sri Bosle Apparao S/o. Haribabu received the notice issued under ref. 1st cited and Explanation / reply dated 23-01-2025. A perusal of the said reply shows that an extent of Ac.2-10 cents was purchased by him under Regd. Sale deed No.458/1996 dated 26-02-1996 from one Sri Gajulapalli Ramanaiah and the said person was granted Ryotwari patta U/s.4 of Inam Abolition Act 1956 and till date the said patta remains intact and being an absolute owner, he sold the property in his favour and out of which he alienated some property in favour of Akula Ramana reddy and for the remaining land of Ac.1-15 cents, he was given pattadar passbook and title deed bearing patta No.1021 which is a proof positive and the mere entry U/s.43(10) of the Endowments Act 30/87 does not approve any title in favour of the institution nor it is binding on him and the Amended Act 36/2023 is not legally sustainable and that Sec.83(2) is not maintainable for the reason that there is a specific proviso U/s.77 under Endowments Act for resumption of the Inam lands and actually a petition is to be filed before the Revenue Divisional Officer who shall pass orders based on the right title and interest of the institution by following the due procedure therein while conducting necessary enquiry, that the procedure to be followed was issued by the Hon'ble High court in W.P.No.23337/2023 dated 06-09-2023, and finally requested to drop further action in the matter.

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. Hence the averments in the reply notice are not tenable.

A perusal of the temple records clearly shows that the subject mentioned land of Ac.5-66 cents in Survey No.441/3 of Pamuru Village is basically an Inam land meant for getting done Bhajantri services in the temple which is clearly borne out by the Approved Property Register U/s. 43(10) as mentioned above. Further, pattadar

passbook with patta No.579 issued in the name of the temple from the Revenue Authorities clearly shows that it is temple land. Hence, all these aspects clearly shows that the subject land of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District, is a service Inam meant for getting done the Bhajantri services in the temple.

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.

Sec.75 reads : 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 or 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 the Government.

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 or permission in respect thereof.
 - (b) Enter into or create illegal tenancies or lease and Licenses, Agreement or any illegal document of title in respect of such property.
 - (c) Construct un-authorized 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.

As such occupation of Sri Bosle Apparao S/o. Haribabu is nothing but encroachment since it is an Endowment land meant for Bhajantri services in the temple of Sri Bhujangeswara swamy vari devastanam, Paruru Village & Mandal, Prakasam District.

In spite of issuance of notice under reference 1st cited requiring Sri Bosle Apparao S/o. Haribabu to remove his encroachment and hand over possession to the temple, he fails to vacate from the schedule land and he is continuing her encroachment over the schedule mentioned property. Hence Sri Bosle Apparao S/o. Haribabu is hereby required to remove the encroachment within 15 days from the date of receipt of this order.

Otherwise, action will be taken under due process of law, as contemplated U/s.83(3) of the Endowments Act 30/87 as Amended through Act 36/2023, dated 27-10-2023 published in A.P., Gazette, part-IV-B. Extraordinary on 27-10-2023, for removal of encroachment and possession will be taken by following the said procedure as contemplated.

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SCHEDULE OF THE PROPERTY

Prakasam District, Pamuru Village & Mandal, temple land consisting of an extent of Ac.1-15 cents out Ac.5-66cents in Survey No.441/3 having boundaries as detailed below.

East : Gutti Srinivasulu's land
South : Sri Bhujangeswara Swamy Temple land
West : Sri Bhujangeswara Swamy Temple land
North : Sri Bhujangeswara Swamy Temple land

Within these boundaries an extent of Ac.1-15 cents of land only.

SUN
04021021
EXECUTIVE OFFICER
Sri Bhujangeswara Swamy Temple
PAMURU (Vill.),
Pamuru (Mdl.) Prakasam Dist.

1) To Sri Bosle Apparao S/o. Hariba C/o. Santosh, Gold Smith, Potti Srinani Street, Pamuru Village and Mandal, Prakasam District -

2) Copy submitted To the Assistant Commissioner, Endowments department, Ongole, Prakasam District, for favour of kind information.

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Office of the Executive Officer,
Sri Bhujangeswara Swamy vari devastanam,
Pamuru Village and Mandal,
Prakasam District.

Lr.No. 41 /2025, dated 03/01/2025

To
Sri Bosle Apparao
S/o. Hariba
C/o. Santosh, Gold Smith
Potti Sriramulu Street
Pamuru Village and Mandal,
Prakasam District – 523 108

Notice Under Section 83(2) of Endowments 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 Bhujangeswara Swamy vari devastanam, Pamuru Village & Mandal, Prakasam District, is the absolute owner of the property i.e., an extent of Ac.5-66cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District, which is meant for getting done Bhajantri Service in the temple as clearly mentioned in the schedule here under and the said property was entered in the Property Register of the subject temple as prepared and Approved U/s.43(10) of the Endowments Act 30/87.

At present you, Sri Bosle Apparao S/o. Hariba are continuing in occupation of an extent of Ac.1-15cents out of Ac.5-66cents of the schedule mentioned property belongs to the temple, without any right or authority to continue in possession of the schedule property and without having any approved Lease/ License / any permission from the Competent Authority 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

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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 the premises of the schedule mentioned property within seven (7) days and shall handover the 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 action will be taken against you as per the provisions of Sec.83 of Andhra Pradesh Charitable & Hindu Religious Institutions and Endowments Act 30/87, as Amended through Amended Act 36/2023.

SCHEDULE OF THE PROPERTY

Prakasam District, Pamuru Village & Mandal, temple land consisting of an extent of Ac.1-15cents out Ac.5-66cents in Survey No.441/3 having boundaries as detailed below.

East : Gutti Srinivasulu's land
South : Sri Bhujangeswara Swamy Temple land
West : Sri Bhujangeswara Swamy Temple land
North : Sri Bhujangeswara Swamy Temple land

Copy to

The Assistant Commissioner,
Endowments Department, Ongole
for favour of kind information.

S. N. S. 03/01/23
Executive Officer
EXECUTIVE OFFICER
Sri Bhujangeswara Swamy Temple
PAMURU (Vill.).
Pamuru (Mdl.) Prakasam Dist.

Dt: 23-01-2025

From
Bosle Apparao, s/o Hariba,
Pottisreeramulu Street,
Pamuru Village and Mandal,
Prakasam District.

To
The Executive Officer,
Bhujangeswara Swamy Vari Devasthanam,
Pamuru Village and Mandal,
Prakasam District.

Sir,

Sub:- Explanation to the notice issued under Sec.83(2) of the
Endowments Act, 30 of 1987 read with Amended Act, 36 of
2023 – Reg.

Ref:- Your letter No.41/2025, dated 03-01-2025.

With reference to your letter No.41/2025, dated 03-01-2025
received by me on 20-01-2025, I hereby give you the explanation to the
above said notice.

It is to inform you that the subject land admeasuring an extent of
Acs.2-10 cents was purchased by a registered sale deed totally
admeasuring an extent of Acs.2-10 cents in Sy.No.441/3 from one Sri
Gajulapally Ramanaiah by virtue of a registered sale deed
Doc.No.458/1996, dated 26-02-1996 in the office of the Sub-Registrar,
Kanigiri, Prakasam District. The said land was purchased from the
vendor by name Gajulapally Ramanaiah was granted a rythwari patta in
Form-3 under Sec.4 of the AP Inams Abolition and Conversion into
Rythwari act, 1956 and the said patta obtained a finality and till date the
patta remains in tact. Thus being the absolute title holder the said land
was alienated in my favour in pursuance of the same I am enjoying the

property admeasuring an extent of Acs.1-15 cents as I further alienated properties in favour of Akula Ramana Reddy, I had been given pattedar pass books and title deeds bearing Patta No.1021 which is a proof positive of the fact that I am the absolute owner of the schedule mentioned land admeasuring an extent of Acs.1-15 cents situated at Pamuru Village and Mandal, Prakasam District.

The present notice has been issued by you alleging that I am in possession of Acs.1-15 cents belonging to the temple without having approved lease / license / any permission from the competent authority. It is submitted that neither the temple had taken steps to nullify the ryothwari patta granted in favour of my vendor nor there is any such deed of document to show that the property belonging to the temple excepting saying that the property has been entered under the 43(10) of the Endowments Act, 30 of 1987. The mere entry does not accrue any title in favour of the institution nor it is binding on me and it is submitted that the above said notice issued to me under the amended Act, 36 of 2023 is not legally sustainable as the said notice cannot be issued on the assumption and presumptions without there being a valid title in favour of the institution.

The above said notice issued under Sec.83(2) is also not maintainable for the reason that under the Endowments Act a specific proviso is given under Sec.77 for resumption of the inam lands wherein you as a custodian have to file an application before the Revenue Divisional Officer of the appropriate jurisdiction and the Revenue Divisional Officer shall pass orders based on your right, title and interest. Under Sec.77(2) before passing an order under Sec.77(2)(a) 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 alienee, if 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 person likely to be effected by such order and consider the objection if any after holding such enquiry as may be prescribed.

Obviously the present notice is issued by you under Sec.83(2) of the Endowments Act, 30 of 1987 read with Amended Act, 36 of 2023 is not maintainable under law as the power given for the resumption of any inam lands vests with the Revenue Divisional Officer and the present notice issued by you is nothing short of assuming the role of an Revenue Divisional Officer which is absolutely impermissible and not maintainable under law. The Hon'ble High Court in W.P.No.23337 of 2023, dated 06-09-2023 has passed an order wherein certain procedure was prescribed for taking the explanation and while giving such direction it was directed that you are supposed to pass an order after receiving my explanation and pending the same you cannot take possession of the property which is covered under your present notice. The copy of the order as well as the other documents are enclosed for your perusal.

It is herewith requested to drop further action in pursuance of the above said notice.

Yours faithfully,

(Bosle Appa Rao)

Encls: as above.

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Gajula Pulli
Ramanamiah

RYOTWARI PATA
(See Rule-7)

In accordance with the provisions of Section 4 of the Andhra
Inams Abolition and conversion into Ryotwari Act. 1956 (Andhra
Act. XXXVII of 1956) Sri Ramanamiah (Name)
Son/Wife of Sri Ramanamiah (Name of Father/Husband)
residing at Pamur village (Address) shall hold the lands specified
below under ryotwari tenure, and shall be liable to pay the ryot-
wari assessment in respect of the said lands in accordance with
the provisions of Section 12 of the said Act and such additional
and other dues and amounts, if any, as may be leviable, in respect
of the said land.

to
Kula
Ramanamiah
95
cents

District : Prakasam
Mandal : Pamur
Village : Pamur

S.D. No.	CLASSIFICATION	EXTENT	REMARKS
441/3	2nd	Ac. 2-60 (Ac. 5-66 2/3)	



11/1/54
REVENUE OFFICER
PAMUR

16/9/54

True translation from Telugu:

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FORM VIII.

**Ryotwari Patta
(See Rule-7)**

In accordance with the provisions of Sec.4 of the Andhra Inams Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956) Sri Gajulapalli Ramanaiah (name) son/wife of Pullaiah (name of father/husband), residing at Pamuru (address) shall hold the lands specified below under ryotwari tenure, and shall be liable to pay the ryotwari assessment in respect of the said lands in accordance with the provisions of Sec.12 of the said Act and such additional and other dues and amounts, if any, as may be leviable, in respect of the said land.

District : Prakasam

Taluk : Pamur

Village : Pamur

S.D.No.	Classification	Extent	Remarks
(1)	(2)	(3)	(4)
441/3	Dry	2-60 (Ac.5-66 above)	

Sd/- xx xx, dt. 16-09-1994
Mandal Revenue Officer,
Pamur.

Sd/- xx xx,
16-09-1994

TAHSILDAR

PANGUR, Prakasam Dt.

(H)

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220992

భూమి యాజమాన్యపు హక్కు పత్రము

పట్టా నెం.

1021



TAHSILDAR
PANGUR, Prakasam Dt.

(కువపరచి, ముద్ర వేయాలి)

1. పట్టాదారు పేరు, తండ్రి / భర్త పేరు
చిరునామా

~~గ్రామం~~ భూమి అధికారి

2. షెడ్యూలు కులం / షెడ్యూలు తెగ
లేదా వెనుక బడిన తరగతికి చెంది
ఉన్నారా

స/ం అధికారి

3. భూములు ఉన్న గ్రామం పేరు

గ్రామం

4. రెవిన్యూ మండలం

గ్రామం

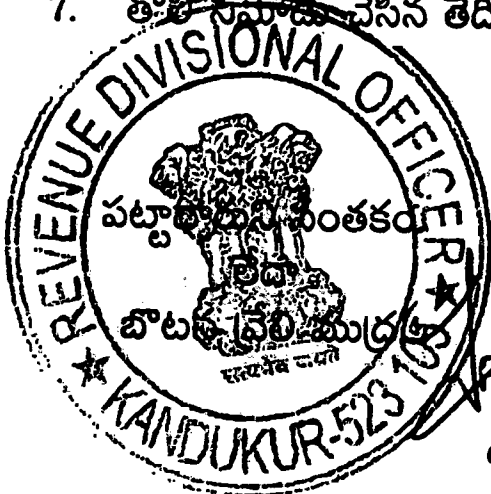
5. రెవిన్యూ డివిజను

కొండుగూడ

6. జిల్లా

కొండుగూడ

7. తొలి సమాజం చేసిన తేది



గ్రామ రెవిన్యూ అధికారి
సంతకం

TAHSILDAR
PANGUR, Prakasam Dt.

Revenue Divisional Officer

KANDUKUR-523105

డివిజనల్ అధికారి సంతకము

Prakasam Dist.

15/5/11

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[illegible][illegible]

True Translation from Telugu:

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220992

GOVERNMENT OF ANDHRA PRADESH
Title Deeds

Photo

Fatta No.1021

(This should be certified
by the Tahsildar with
seal)

- 1 Name of the pattedar, father's/husband's name and address : Bosle Apparao s/o Hariba
- 2 If belongs to SC/ST or BCs :
- 3 In which village the lands are situated : Pamuru
- 4 Revenue Jurisdiction : Pamuru
- 5 Revenue Division : Kandukur
- 6 District : Prakasam
- 7 Date of first entry recorded :

Sd/- xx xx,
Signature of the
Pattedar or thumb
impression

Sd/- xx xx,
Village Revenue
Officer.

Sd/- xx xx
Tahsildar, Pamuru
Prakasam Dist.

Sd/- xx xx
Revenud Divisional Officer,
Kandukur-523105,
Prakasam Dist.

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True Translation from Telugu:

Particulars of land owned by Sri Bosle Apparao, s/o Hariba

Sl. No.	Sy.No., sub-divn. No.	Extent Acs.cts. / Gts.	Classi- fication Wet / Dry	How the land acquired Hereditary Purchased Or any other source	Credit particulars if any not entered according to ROR	Signature of the MRO	Market value according to register per acre	Loan particulars for the last 13 years if any	Signature of the sub-registrar and stamp	Remakrs
1	2	3	4	5	6	7	8	9	10	11
1	441/3	1-15	Dry	Purchase		Sd/- xx xx, Tahsildar, Pamur, Prakasam Dist.				D.No. 458/96 And vide Procgs. No.66/ Of Tahsildar, Pamur



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AP02 97539635

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూశాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

1-బి నమూనా (ROR)

Application No:



ROR011610881971

Date : 24/05/2016

జిల్లా : పాకా

గ్రామము : పామూరు

మండలము : పామూరు

విస్తీర్ణము యూనిట్లు : ఎ.గుం./ఎ.ఎం.

వరుస నం.	పట్టాదారు పేరు	(తండ్రి/భర్త పేరు)	ఖాతా నంబరు	సర్వే నంబరు	భూమి వివరణ	మొత్తం విస్తీర్ణము	శిస్తు	పట్టాదారుకు ఏ ఏదమూగా సంక్రమించింద/ సాగుచేసారు	యజమాని/ కొలుదారు తాత్కాలిక పట్టుకున్న వ్యక్తి పేరు ఖాతానంబరు	రిజిస్టరు కాని యజమాని భారాల వివరములు	మౌలిక విలువ
1	2	3	4	5	6	7	8	9/10	11/12	13	14
1	బోస్ అప్పారావు	హరిబ	1021	441-3	మొట్ట	1.1500	0.0000	కొనుగోలు			

Certified By

K. Venkateswarlu

Name: K.VENKATESWARLU

Designation: TAHSILDAR

Mandal:పామూరు

Verified by U MALLIKARJUNA PRASAD

Note : This is Digitally Signed Certificate, does not require physical signature, And this certificate can be verified at <http://www.ap.meeseva.gov.in/> by furnishing the application number mentioned in the Certificate.

Note : This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.ap.meeseva.gov.in by furnishing the application number mentioned in the Certificate.

<http://apsp.meeseva.gov.in/APSP/Revenue/RevenueServices/RORCertificate> 5/24/2016

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True translation from Telugu:

Mee Seva
AP0297539635

Government of Andhra Pradesh, Revenue Department, Computerized Land Records
1-B from (ROR)

Application No.ROR11610881971
Dt: 24-05-2016

District: Prakasam
Mandal: Pamur

Village: Pamur
Extent Units: Acs.Gts/Acs.Cts

Sl. No.	Pattedar name	Father / husband name	A/c No.	Sy. No.	Land type	Total extent	Cist	How the patte-dar is having / cultivated	Owner / Kowldar to whom it was mortgaged & a/c no.	Unregistered credit particulars	Market value
1	2	3	4	5	6	7	8	9/10	11/12	13	14
1	Bosle Apparao	Hariba	1021	441-3	Dry	1.1500	0.0000	Purchase			

Certified by:
Name: K.Venkateswarlu
Designation: Tahsildar, Mandal: Pamur

Verified by U.Mallikarjuna Prasad

Note: This is digitally signed certificate, does not require physical signature. And this certificate can be verified at <http://www.ap.meeseva.gov.in/by> furnishing the application number mentioned in the certificate.

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Orders passed by the Executive Officer, Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District Under Sec.83(2) of Endowments Act 30/87 as Amended through Amended Act 36 of 2023

Rc.No. 44A /2025, dated 03/01/2025.

Sub:- Endowments Department – Sri Bhujangeswara swamy vari devastanam. Pamuru Village & Mandal, Prakasam District temple is the absolute owner of the property i.e., an extent of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District and in which an extent of Ac.0-95 cents out Ac.5-66 cents is encroached by Sri Akula Ramana Reddy S/o. China Venkata Reddy, Varikuntapadu Mandal, Konda Reddypalli, Gundinarava Post, Nellore District – Notice dated 03-01-2025 issued under Sec.83(2) of Endowments Act 30/87 as Amended through the Amended Act 36/2023, dated 27-10-2023 – Notice received by him - Explanation / reply submitted on 23-01-2025 – Perused the contents of the reply / explanation – contents in the reply / explanation are not tenable - Perused the contents of the records of the temple which shows that Sri Akula Ramana Reddy S/o. China Venkata Reddy had been in un-authorized occupation of temple land which is nothing but encroachment - Orders passed directing the above encroacher shall remove his encroachment within 15 days from the date of receipt of this order – else possession will be taken U/s.83(3) of the Endowments Act 30/87- Regarding.

Ref:- 1) Notice dated 03-01-2025 Sri Akula Ramana Reddy S/o. China Venkata Reddy, Varikuntapadu Mandal, Konda Reddypalli, Gundinarava Post, Nellore District.

2) Temple Approved Property Register U/s.43(10) of the Endowments Act 30/87.

3) Pattadar passbook issued in the name of Sri Bhujangeswara swamy temple, Pamuru Village and Mandal, Prakasam District, with patta No.579.

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38.

Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District, is the absolute owner of the property i.e., an extent of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District, which is an Inam land meant for getting done Bhajantri services in the temple as clearly mentioned in the schedule here under. The Approved Property Register of the temple U/Sec.43(10) of the Endowments Act 30/87 vide Rc.No.A4/527308/2023 dated 04-05-2024 clearly shows that the said property is temple property. But, the land in an extent of Ac.0-95cents out of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District had been under the un-authorized possession and enjoyment of Sri Akula Ramana Reddy S/o. China Venkata Reddy.

Under reference 1st cited, a Regd. notice 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 was issued to Sri Akula Ramana Reddy S/o. China Venkata Reddy intimating him that the schedule property is temple land which is meant for getting done Bhajantri services in the temple and requested him to explain within 7 days from the date of receipt of the notice as to why she should not be treated as an encroacher U/Sec.83(2) of the Endowments Act 30/87 and shall not removed 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 notice that if he has no explanation to offer in that regard, he should vacate the premises of the schedule mentioned property within 7 days and shall handover the vacant possession of the same to the Executive Officer of the subject temple.

It was further intimated to him that in case of failure on his part to submit any explanation within the stipulated time or if he failed to vacate the schedule premises. in case he has no explanation to offer, appropriate action will be taken against him as per the provisions of Amended Section 83 of A.P. Charitable and Hindu Religious Institutions and Endowments Act 30/87.

Sri Akula Ramana Reddy S/o. China Venkata Reddy received the notice issued under ref. 1st cited and Explanation / reply dated 23-01-2025. A perusal of the said reply shows that an extent of Ac.0-95 cents was purchased by him under Regd. Sale deed No.4997/2002 dated 29-07-20002 and that earlier the said land was purchased by Bosile Apparao and from one Gajulapalli Ramanaiah and the said person was granted Ryotwari patta U/s.4 of Inam Abolition Act. 1956 and till date the said patta remains intact and being an absolute owner, he sold the property in his favour and he was given pattadar passbook and title deed bearing patta No.611 which is a proof positive and the mere entry U/s.43(10) of the Endowments Act 30/87 does not approve any title in favour of the institution nor it is binding on him and the Amended Act 36/2023 is not legally sustainable and that Sec.83(2) is not maintainable for the reason that there is a specific proviso U/s.77 under Endowments Act for resumption of the Inam lands and actually a petition is to be filed before the Revenue Divisional Officer who shall pass orders based on the right title and interest of the institution by following the due procedure therein while conducting necessary enquiry. that the procedure to be followed was issued by the Hon'ble High court in W.P.No.23337/2023 dated 06-09-2023, and finally requested to drop further action in the matter.

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. Hence the averments in the reply notice are not tenable.

A perusal of the temple records clearly shows that the subject mentioned land of Ac.5-66 cents in Survey No.441/3 of Pamuru Village is basically an Inam land meant for getting done Bhajantri services in the temple which is clearly borne out by the Approved Property Register U/s. 43(10) as mentioned above. Further, pattadar passbook with patta No.579 issued in the name of the temple from the Revenue

Authorities clearly shows that it is temple land. Hence, all these aspects clearly shows that the subject land of Ac.5-66 cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District, is a service Inam meant for getting done the Bhajantri services in the temple.

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.

Sec.75 reads : 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 or 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 the Government.

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 or permission in respect thereof.
 - (b) Enter into or create illegal tenancies or lease and Licenses, Agreement or any illegal document of title in respect of such property.
 - (c) Construct un-authorized 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.

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As such occupation of Sri Akula Ramana Reddy S/o. China Venkata Reddy is nothing but encroachment since it is an Endowment land meant for Bhajantri services in the temple of Sri Bhujangēswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District.

In spite of issuance of notice under reference 1st cited requiring Sri Akula Ramana Reddy S/o. China Venkata Reddy to remove his encroachment and hand over possession to the temple, he fails to vacate from the schedule land and he is continuing her encroachment over the schedule mentioned property. Hence Sri Akula Ramana Reddy S/o. China Venkata Reddy is hereby required to remove the encroachment within 15 days from the date of receipt of this order.

Otherwise, action will be taken under due process of law, as contemplated U/s.83(3) of the Endowments Act 30/87 as Amended through Act 36/2023, dated 27-10-2023 published in A.P., Gazette, part-IV-B, Extraordinary on 27-10-2023, for removal of encroachment and possession will be taken by following the said procedure as contemplated.

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SCHEDULE OF THE PROPERTY

Prakasam District, Pamuru Village & Mandal, temple land consisting of an extent of Ac.0-95cents out Ac.5-66cents in Survey No.441/3 having boundaries as detailed below.

- East : Gutti Srinivasulu's land
South : Sri Bhujangeswara Swamy Temple land
West : Sri Bhujangeswara Swamy Temple land
North : Sri Bhujangeswara Swamy Temple land

Within these boundaries an extent of Ac.0-95cents of land only.

S. N. V. 03022023
(Executive Officer)

EXECUTIVE OFFICER
Sri Bhujangeswara Swamy Temple

1) To Sri Akula Ramana Reddy S/o. China Venkata Reddy, Varikuntapadu Mandal, Konda Reddypalli, Gundinarava Post, Nellore District -

2) Copy submitted To the Assistant Commissioner. Endowments department, Ongole, Prakasam District, for favour of kind information.

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Office of the Executive Officer,
Sri Bhujangeswara Swamy vari devastanam,
Pamuru Village and Mandal,
Prakasam District.

Lr.No. 44/2025, dated 03/01/2025

To
Sri Akula Ramana Reddy
S/o. China Venkata Reddy
Varikuntapadu Mandal, Konda Reddypalli
Gundinarava Post,
Nellore District -

Notice Under Section 83(2) of Endowments 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 Bhujangeswara Swamy vari devastanam, Pamuru Village & Mandal, Prakasam District, is the absolute owner of the property i.e., an extent of Ac.5-66cents in Survey No.441/3 of Pamuru Village & Mandal, Prakasam District, which is meant for getting done Bhajantri Service in the temple as clearly mentioned in the schedule here under and the said property was entered in the Property Register of the subject temple as prepared and Approved U/s.43(10) of the Endowments Act 30/87.

At present you, Sri Akula Ramana Reddy S/o. China Venkata Reddy are continuing in occupation of an extent of Ac.0-95cents out of 5-66cents of the schedule mentioned property belongs to the temple, without any right or authority to continue in possession of the schedule property and without having any approved Lease/ License / any permission from the Competent Authority 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

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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 the premises of the schedule mentioned property within seven (7) days and shall handover the 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 action will be taken against you as per the provisions of Sec.83 of Andhra Pradesh Charitable & Hindu Religious Institutions and Endowments Act 30/87, as Amended through Amended Act 36/2023.

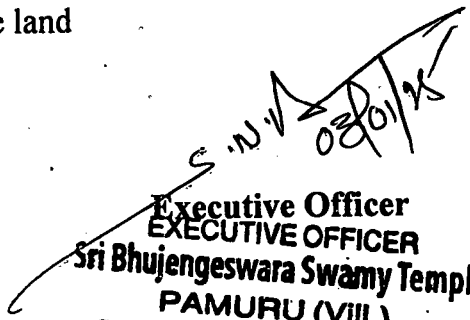
SCHEDULE OF THE PROPERTY

Prakasam District, Pamuru Village & Mandal, temple land consisting of an extent of Ac.0-95cents out Ac.5-66cents in Survey No.441/3 having boundaries as detailed below.

East : Gutti Srinivasulu's land
South : Sri Bhujangeswara Swamy Temple land
West : Sri Bhujangeswara Swamy Temple land
North : Sri Bhujangeswara Swamy Temple land

Copy to

The Assistant Commissioner,
Endowments Department, Ongole
for favour of kind information.


Executive Officer
EXECUTIVE OFFICER
Sri Bhujangeswara Swamy Temple
PAMURU (VIII.),
Pamuru (Mdl.) Prakasam Dist

45
P-9
Dt: 23-01-2025

From
Akula Ramana Reddy, s/o China Venkata Reddy,
Varikuntapadu Mandal,
Kondareddypally,
Gundinarva Post,
Nellore District.

To
The Executive Officer,
Bhujangeswara Swamy Vari Devasthanam,
Pamuru Village and Mandal,
Prakasam District.

Sir,

Sub:- Explanation to the notice issued under Sec.83(2) of the
Endowments Act, 30 of 1987 read with Amended Act, 36 of
2023 – Reg.

Ref:- Your letter No.44/2025, dated 03-01-2025.

With reference to your letter No.44/2025, dated 03-01-2025
received by me on 20-01-2025, I hereby give you the explanation to the
above said notice.

It is to inform you that the subject land admeasuring an extent of
Ac.0-95 cents was purchased by a registered sale deed totally
admeasuring an extent of Ac.0-95 cents in Sy.No.441/3 from one Sri
Bosle Apparao by virtue of a registered sale deed Doc.No.4997/2002,
dated 29-04-2002 in the office of the Sub-Registrar, Kanigiri, Prakasam
District. Earlier the said land was purchased by Bosle Apparao from
Gajulapally Ramanaiah was granted a rythwari patta in Form-3 under
Sec.4 of the AP Inams Abolition and Conversion into Rythwari act, 1956
and the said patta obtained a finality and till date the patta remains in
tact. Thus being the absolute title holder the said land was alienated in

my favour in pursuance of the same I am enjoying the property admeasuring an extent of Ac.0-95 cents, I had been given pattedar pass books and title deeds bearing Patta No.611 which is a proof positive of the fact that I am the absolute owner of the schedule mentioned land admeasuring an extent of Ac.0-95 cents situated at Pamuru Village and Mandal, Prakasam District.

The present notice has been issued by you alleging that I am in possession of Ac.0-95 cents belonging to the temple without having approved lease / license / any permission from the competent authority. It is submitted that neither the temple had taken steps to nullify the ryothwari patta granted in favour of my vendor nor there is any such deed of document to show that the property belonging to the temple excepting saying that the property has been entered under the 43(10) of the Endowments Act, 30 of 1987. The mere entry does not accrue any title in favour of the institution nor it is binding on me and it is submitted that the above said notice issued to me under the amended Act, 36 of 2023 is not legally sustainable as the said notice cannot be issued on the assumption and presumptions without there being a valid title in favour of the institution.

The above said notice issued under Sec.83(2) is also not maintainable for the reason that under the Endowments Act a specific proviso is given under Sec.77 for resumption of the inam lands wherein you as a custodian have to file an application before the Revenue Divisional Officer of the appropriate jurisdiction and the Revenue Divisional Officer shall pass orders based on your right, title and interest. Under Sec.77(2) before passing an order under Sec.77(2)(a) 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

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the alienee, if 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 person likely to be effected by such order and consider the objection if any after holding such enquiry as may be prescribed.

Obviously the present notice is issued by you under Sec.83(2) of the Endowments Act, 30 of 1987 read with Amended Act, 36 of 2023 is not maintainable under law as the power given for the resumption of any inam lands vests with the Revenue Divisional Officer and the present notice issued by you is nothing short of assuming the role of an Revenue Divisional Officer which is absolutely impermissible and not maintainable under law. The Hon'ble High Court in W.P.No.23337 of 2023, dated 06-09-2023 has passed an order wherein certain procedure was prescribed for taking the explanation and while giving such direction it was directed that you are supposed to pass an order after receiving my explanation and pending the same you cannot take possession of the property which is covered under your present notice. The copy of the order as well as the other documents are enclosed for your perusal.

It is herewith requested to drop further action in pursuance of the above said notice.

Yours faithfully,

A. Ramana Reddy

(Akula Ramana Reddy)

Encls: as above.

- 1) Registered deed
- 2) Form : 8
- 3) Passbook
- 4) A dangled copy.

Recd Copy
24/10/23

C.N.
EXECUTIVE OFFICER
Sri Bhujengeswara Swamy Temple
PAMURU (Vill.),
Pamuru (Mdl.), Prakasam Dist.

TAHSILDAR

PAMUR, Prakasam Dt.

అంధ్రప్రదేశ్ ప్రభుత్వం

భూమి యాజమాన్యపు హక్కు పత్రము

పట్టా నెం.

611



1. పట్టాదారు పేరు, తండ్రి / భర్త పేరు
చిరునామా :

అర్జున్ రామారావు

2. పేద్యాల కులం / పేద్యాల తెగ
లెక్కా ద్వారా బడిన తరగతికి చెంది
ఉన్నారా - 523108 :

సంతకం చిన్నపేట రెడ్డి

3. భూములు ఉన్న గ్రామం పేరు :

పావన

4. రెవిన్యూ మండలం :

పావన

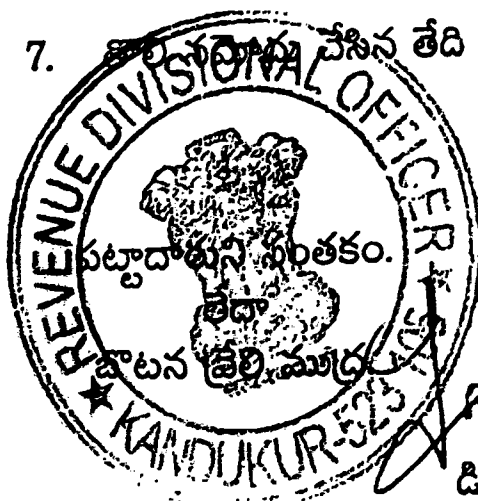
5. రెవిన్యూ డివిజను :

కొండూరు

6. జిల్లా :

ప్రకాశం

7. పట్టాదారు చేసిన తేది :



గ్రామ రెవిన్యూ అధికారి
సంతకం

TAHSILDAR
పట్టాదారు సంతకం
PAMUR, Prakasam Dt.
కార్యాలయ ముద్ర, తేది

Revenue Divisional Officer
కొండూరు రెవిన్యూ సెక్షన్ 105.
Prakasam Dist.

15/11

1. శ్రీ/శ్రీమతి/కుమారి..శ్రీ.వి.ఎస్.ఆర్.గిరి.....చదువుతున్నప్పుడు.....

3

..గారి స్వంత భూములు

[illegible]

True Translation from Telugu:

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H

245800

GOVERNMENT OF ANDHRA PRADESH
Title Deeds

Photo

Patta No.611

(This should be certified
by the Tahsildar with
seal)

- 1 Name of the pattedar, father's/husband's name and address : Akula Ramana Reddy
s/o China Venkata Reddy
- 2 If belongs to SC/ST or BCs :
- 3 In which village the lands are situated : Pamuru
- 4 Revenue Jurisdiction : Pamuru
- 5 Revenue Division : Kandukur
- 6 District : Prakasam
- 7 Date of first entry recorded :

Sd/- xx xx,
Signature of the
Pattedar or thumb
impression

Sd/- xx xx,
Village Revenue
Officer.

Sd/- xx xx
Tahsildar, Pamuru
Prakasam Dist.

Sd/- xx xx
Revenud Divisional Officer,
Kandukur-523105,
Prakasam Dist.

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True Translation from Telugu:

Particulars of land owned by Sri Akula Ramana Reddy, s/o China Venkata Reddy

Sl. No.	Sy.No., sub-divn. No.	Extent Acs.cts. / Gts.	Classification Wet / Dry	How the land acquired Hereditary Purchased Or any other source	Credit particulars if any not entered according to ROR	Signature of the MRO	Market value according to register per acre	Loan particulars for the last 13 years if any	Signature of the sub-registrar and stamp	Remakrs
1	2	3	4	5	6	7	8	9	10	11
1	441/3	0-95	Dry	Purchase	Doc.No. 594/2002, Dt.29-4-2002	Sd/- xx xx, Tahsildar, Pamur, Prakasam Dist.				vide Procs. No.67/ Of Tahsildar, Pamur



AP03 26261967

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూ శాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

1-బి నమూనా (ROR)

Application No:



ROR011610881722

Date : 24/05/2016

జిల్లా : ప్రకాశం

గ్రామము : పామూరు

మండలము : పామూరు

విస్తీర్ణము యూనిట్లు : ఎ.గుం./ఎ.సెం.

పత్రపు నం.	పట్టాదారు పేరు	(తండ్రి/తల్లి పేరు)	ఖాతా నంబరు	సర్వే నంబరు	భూమి వివరణ	మొత్తం విస్తీర్ణము	శిస్తు	పట్టాదారుకు వి వరముగా సంక్రమించింది/ పొందుపాటు	యజమాని/ కొలుదారు లాక్కు పట్టుకున్న స్వీకృతి పేరు ఖాతానంబరు	రిజిస్టరు కాని రుణాది భారాల వివరములు	మార్గిక విలువ
1	2	3	4	5	6	7	8	9/10	11/12	13	14
1	అకుల రమణారెడ్డి	చిన్న వెంకటరెడ్డి	611	441-3	మెట్ట	0.9500	0.0000	కొనుగోలు			

Certified By

Name: K.VENKATESWARLU
Designation: TAHSILDAR
Mandal: పామూరు

Verified by U MALLIKARJUNA PRASAD

Note : This is Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at <http://www.ap.meeseva.gov.in/> by furnishing the application number mentioned in the Certificate.

Note : This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.ap.meeseva.gov.in by furnishing the application number mentioned in the Certificate.

5/24/2016

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True translation from Telugu:

Mee Seva
AP026261967Government of Andhra Pradesh, Revenue Department, Computerized Land Records
1-B from (ROR)

Application No.ROR01161088172

Dt: 24-05-2016

District: Prakasam
Mandal: PamurVillage: Pamur
Extent Units: Acs.Gts/Acs.Cts

Sl. No.	Pattedar name	Father / husband name	A/c No.	Sy. No.	Land type	Total extent	Cist	How the patte-dar is having / cultivated	Owner / Kowldar to whom it was mortgaged & a/c no.	Unregistered credit particulars	Market value
1	2	3	4	5	6	7	8	9/10	11/12	13	14
1	Akula Ramana Reddy	China Venkata Reddy	611	441-3	Dry	0.9500	0.0000	Purchase			

Certified by:

Name: K.Venkateswarlu

Designation: Tahsildar, Mandal: Pamur

Verified by U.Mallikarjuna Prasad

Note: This is digitally signed certificate, does not require physical signature. And this certificate can be verified at <http://www.ap.meeseva.gov.in/by> furnishing the application number mentioned in the certificate.



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P-12

AP03 26261953

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూ శాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

పట్టాదారుని ఆదంగలు / పహజీ కానీ

Application No:



ADL011615660070

Date : 24/05/2016

జిల్లా : ప్రకాశం

గ్రామము : పామూర

మండలము : పామూరు

విస్తీర్ణము యూనిట్లు : Acres/cents

పనిని సం. : 1425

వరుస సం.	సర్వే నంబరు	మొత్తం విస్తీర్ణము	సా.ప.రాని/ సా.ప.నచ్చు విస్తీర్ణము	భూమి స్వభావము / శిస్తు	భూమి వివరణ / జలా ధారము	అయకట్టు విస్తీర్ణము	ఖాతా నంబరు	పట్టాదారు పేరు (తండ్రి/దర్త పేరు)	అనుబంధదారు పేరు తండ్రి/దర్త పేరు)	అనుబంధ విస్తీర్ణము / అనుబంధ స్వభావము
1	2	3	4/5	6/7	8/9	10	11	12	13	14/15
1	441-3	5.6600	0.0000 5.6600	పట్టా 0.0000	మట్ట లేదు	0.0000	0	ఇతరులు ఇతరులు	ఇతరులు ఇతరులు	0.6000 కొనుగోలు
2							611	ఆకుల రమణారెడ్డి చిన్న వెంకటరెడ్డి	ఆకుల రమణారెడ్డి చిన్న వెంకటరెడ్డి	0.9500 కొనుగోలు
3							1021	బోస్ల అప్పారావు హరిబ	బోస్ల అప్పారావు హరిబ	1.1500 కొనుగోలు
4							1212	పిక్కిలి మస్తానయ్య కొండయ్య	పిక్కిలి మస్తానయ్య కొండయ్య	2.9600 కొనుగోలు

Certified By

K. Venkateswarlu

Name: K.VENKATESWARLU
Designation: TAHSILDAR
Mandal: పామూరు

Verified by U MALLIKARJUNA PRASAD

Note : This is Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at <http://www.ap.meeseva.gov.in/> by furnishing the application number mentioned in the Certificate.Note : This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.ap.meeseva.gov.in by furnishing the application number mentioned in the Certificate.<http://apasp.meeseva.gov.in/APWebPortal/UserInterface/citizen/RevenueServices/AdangalPrint.do>

True Translation from Telugu:

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Mee Seva
AP03 26261953

GOVERNMENT OF ANDHRA PRADESH,
REVENUE DEPARTMENT, COMPUTERISATION OF LAND RECORDS
Copy of Pattedar's Adangal / Pahany

Application No.ADL 011616660070
Date: 24-05-2016

District: Prakasam
Mandal: Pamur

Village: Pamur
Acess / Cents

Fasli No.1425

Sl. No.	Sy. No.	Total Extent	Extent of For cultivation / not fit for cultivation	Land type / cist	Land particulars / water source	Extent of Ayacut	A/c No.	Name of the Pattedar (name of father / husband)	Name of the occupant (name of father / husband)	Extent of occupation / type of occupation
1	2	3	4/5	6/7	8/9	10	11	12	13	14/15
1	441-3	5.6600	0.0000 5.6600	Patta 0.0000	Dry -no-	0.0000	0	Others Others	Others Others	0.6000 Purchase
2							611	Akula Ramana Reddy	Akula Ramana Reddy	0.9500 Purchase
3							1021	Bosle Apparao Hariba	Bosle Apparao Hariba	1.1500 Purchase
4							1212	Pikkili Masta-nayya Kondaiah	Pikkili Masta-nayya Kondaiai	2.9600 Purchase

Certified by: sd/- K.Venkateswarlu
Name: K.Venkateswarlu
Designation: Tahsildar, Mandal: Pamuru

Verified by U.Mallikarjuna Prasad

Note: This is digitally signed certificate, does not require physical signature. And this certificate can be verified at <http://www.ap.meeseva.gov.in/by> furnishing the application number mentioned in the certificate.

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FORM VIII
RYOTWARI PATTAs
(See Rule-7)

In accordance with the provisions of Section 4 of the Andhra
 Ponds Abolition and Conversion into Ryotwari) Act, 1956 (Andhra
 Act. XXXVII of 1956) Sri అంజయ్య తిలకయ్య (Name)
 Son/Wife of Sri అంజయ్య (Name of father/husband)
 residing at Pamur village (Girass) shall hold the lands specified
 below under ryotwari tenure, and shall be liable to pay the ryot-
 wari assessment in respect of the said lands in accordance with
 the provisions of section 12 of the said Act and such additional
 and other dues and amounts, if any, as may be leviable, in respect
 of the said land.

District : Prakasam
 Mandal : Pamur
 Village : Pamur

S.D.No.	CLASSIFICATION	EXTENT	REMARKS
1	2	3	4
441/3	అంజయ్య	Ac. 2-60 (Ac. 5-66 <u>రెక్క</u>)	



11/11/56
 MANDAL REVENUE OFFICER
 PAMUR

16/9/56

True translation from Telugu:

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FORM VIII

**Ryotwari Patta
(See Rule-7)**

In accordance with the provisions of Sec.4 of the Andhra Inams Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956) Sri Gajulapalli Ramanaiah (name) son/wife of Pullaiah (name of father/husband), residing at Pamuru (address) shall hold the lands specified below under ryotwari tenure, and shall be liable to pay the ryotwari assessment in respect of the said lands in accordance with the provisions of Sec.12 of the said Act and such additional and other dues and amounts, if any, as may be leviable, in respect of the said land.

District : Prakasam

Taluk : Pamur

Village : Pamur

S.D.No.	Classification	Extent	Remarks
(1)	(2)	(3)	(4)
441/3	Dry	2-60 (Ac.5-66 above)	

Sd/- xx xx, dt. 16-09-1994
Mandal Revenue Officer,
Pamur.

Sd/- xx xx,
16-09-1994

Orders passed by the Executive Officer, Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District Under Sec.83(2) of Endowments Act 30/87 as Amended through Amended Act 36 of 2023

Rc.No. 46A /2025, dated 03/09/2025.

Sub:- Endowments Department – Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District temple is the absolute owner of the property i.e., an extent of Ac.4-24 cents in Survey No.442/3 of Pamuru Village & Mandal, Prakasam District and in which an extent of Ac.1-01cents out of Ac.4-24cents is encroached by Smt. Manam Subbulu W/o. Ramanaiah, R/o. Sitharama Thota, East Street, Pamuru Village and Mandal, Prakasam District – Notice dated 03-01-2025 issued under Sec.83(2) of Endowments Act 30/87 as Amended through the Amended Act 36/2023, dated 27-10-2023 – Notice received by her as per Postal Endorsement - Explanation / reply not submitted – Perused the contents of the records of the temple which shows that Smt. Manam Subbulu W/o. Ramanaiah had been in un-authorized occupation of temple land which is nothing but encroachment - Orders passed directing the above encroacher shall remove her encroachment within 15 days from the date of receipt of this order – else possession will be taken U/s.83(3) of the Endowments Act 30/87- Regarding.

Ref:- 1) Notice dated 03-01-2025 Smt. Manam Subbulu W/o. Ramanaiah, R/o.Sitharama Thota, East Street, Pamuru Village and Mandal, Prakasam District.

2) Temple Approved Property Register U/s.43(10) of the Endowments Act 30/87.

3) Pattadar passbook issued in the name of Sri Bhujangeswara swamy temple, Pamuru Village and Mandal, Prakasam District, with patta No.579.

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Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal, Prakasam District, is the absolute owner of the property i.e., an extent of Ac.4-24 cents in Survey No.442/3 of Pamuru Village & Mandal, Prakasam District, which is an Inam land meant for getting done Bhajantri services in the temple as clearly mentioned in the schedule here under. The Approved Property Register of the temple U/Sec.43(10) of the Endowments Act 30/87 vide Rc.No.A4/527308/2023 dated 04-05-2024 clearly shows that the said property is temple property. But, the land in an extent of Ac.1-01 cents out of Ac.4-24 cents in Survey No.442/3 of Pamuru Village & Mandal, Prakasam District had been under the un-authorized possession and enjoyment of Smt. Manam Subbulu W/o. Ramanaiah.

Under reference 1st cited, a Regd. notice 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 was issued to Smt. Manam Subbulu W/o. Ramanaiah intimating her that the schedule property is temple land which is meant for getting done Bhajantri services in the temple and requested her to explain within 7 days from the date of receipt of the notice as to why she should not be treated as an encroacher U/Sec.83(2) of the Endowments Act 30/87 and shall not removed from occupation of the said property and if she has any explanation to offer in that regard, she should submit the same within 7 days along with documentary evidence if any in her support. Further it was clarified in the notice that if she has no explanation to offer in that regard, she should vacate the premises of the schedule mentioned property within 7 days and shall handover the vacant possession of the same to the Executive Officer of the subject temple.

It was further intimated to her that in case of failure on her part to submit any explanation within the stipulated time or if she failed to vacate the schedule premises, in case she has no explanation to offer, appropriate action will be taken against her as per the provisions of Amended Section 83 of A.P. Charitable and Hindu Religious Institutions and Endowments Act 30/87.

Smt. Manam Subbulu W/o. Ramanaiah received the notice issued under ref. 1st cited as per the Postal Endorsement given by the Postal Authorities and Explanation / reply not submitted by her and simply kept quit.

A perusal of the temple records clearly shows that the subject mentioned land of Ac.4-24 cents in Survey No.442/3 of Pamuru Village is basically an Inam land meant for getting done Bhajantri services in the temple which is clearly borne out by the Approved Property Registers U/s. 43(10) as mentioned above. Further, pattadar pissbook with patta No.579 issued in the name of the temple from the Revenue Authorities clearly shows that it is temple land. Hence, all these aspects clearly shows that the subject land of Ac.4-24 cents in Survey No.442/3 of Pamuru Village & Mandal, Prakasam District, is a service Inam meant for getting done the Bhajantri services in the temple.

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.

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.

Sec.75 reads : 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 or 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 the Government.

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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 or permission in respect thereof.
 - (b) Enter into or create illegal tenancies or lease and Licenses, Agreement or any illegal document of title in respect of such property.
 - (c) Construct un-authorized 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.

As such occupation of Smt. Manam Subbulu W/o. Ramanaiah is nothing but encroachment since it is an Endowment land meant for Bhajantri services in the temple of Sri Bhujangeswara swamy vari devastanam, Pamuru Village & Mandal. Prakasam District.

In spite of issuance of notice under reference 1st cited requiring Smt. Manam Subbulu W/o. Ramanaiah to remove her encroachment and hand over possession to the temple, she fails to vacate from the schedule land and she is continuing her encroachment over the schedule mentioned property. Hence Smt. Manam Subbulu W/o. Ramanaiah is hereby required to remove the encroachment within 15 days from the date of receipt of this order.

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Otherwise, action will be taken under due process of law, as contemplated U/s.83(3) of the Endowments Act 30/87 as Amended through Act 36/2023, dated 27-10-2023 published in A.P. Gazette, part-IV-B, Extraordinary on 27-10-2023, for removal of encroachment and possession will be taken by following the said procedure as contemplated.

SCHEDULE OF THE PROPERTY

Prakasam District, Pamuru Village & Mandal, temple land consisting of an extent of Ac.1-01 cents out of Ac.4-24 cents in Survey No.442/3 having boundaries as detailed below.

East : Temple Land
South : Chalivendram China Subbaiah's Land
West : R&B Roa
North : Temple Land

Within these boundaries an extent of Ac.1-01 cents of land only.

S. N. V. 03.02.2025
(Executive Officer)
EXECUTIVE OFFICER
Sri Rhujengeswara Swamy Temple
PAMURU (Vill.),
Thota, East Street, Prakasam Dist.

1) To Smt. Manam Subbulu W/o. Ramanaiah Sitharama Thota, East Street,
Pamuru Village and Mandal, Prakasam District -

2) Copy submitted To the Assistant Commissioner, Endowments department, Ongole,
Prakasam District, for favour of kind information.

(See Rule-7)

Village : Pamur

S.D. No.	CLASSIFICATION	EXTENT	REMARKS
1	2	3	4
44213	200g	Ac. 4-24	



13. 2. 1971. PAMUR

6/9/98

True translation from Telugu:

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FORM VIII

Ryotwari Patta
(See Rule-7)

In accordance with the provisions of Sec.4 of the Andhra Inams Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956) (1) Tallapudi Hajarathu, s/o Peda Gavaramaiah and (2) Tallapudi Nageswara Rao, s/o Subbaiah (name of father/husband), residing at Pamuru (address) shall hold the lands specified below under ryotwari tenure, and shall be liable to pay the ryotwari assessment in respect of the said lands in accordance with the provisions of Sec.12 of the said Act and such additional and other dues and amounts, if any, as may be leviable, in respect of the said land.

District : Prakasam

Taluk : Pamur

Village : Pamur

S.D.No.	Classification	Extent	Remarks
(1)	(2)	(3)	(4)
442/3	Dry	4-24	

Sd/- xx xx, dt. 16-09-1994
Mandal Revenue Officer,
Pamur.

Sd/- xx xx,
16-09-1994

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(దీనిని మండిరం రెవెన్యూ అధికారి
ద్రువపరచి, మూడ్ర వేయాలి)
మానం మిచ్చులు
అ/ం ఎగ్జిసివ్ ఓ సెక్షన్ లు
హం (రి సెక్షన్ లు)

భూమి
రాన్యపు హక్కు పత్రము

018

మ, తండ్రి/భర్త పేరు,

అం/పెద్దాయలు తెగ
దీని తరగతికి చెంది

న్న గ్రామం పేరు
ండలం
ంజను

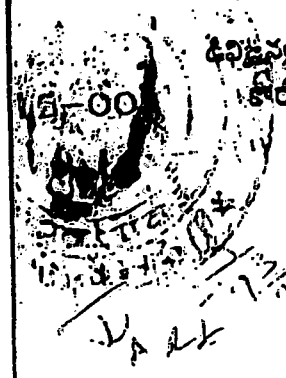
మ చేసిన తది

: మ : ఎగ్జిసివ్
: సెక్షన్ లు
: సెక్షన్ లు
: సెక్షన్ లు
: సెక్షన్ లు
: సెక్షన్ లు

తకం.
గ్రామ పరిపాలనాధికారి
సంతకం.

మండం రెవెన్యూ
అధికారి సంతకం.
కార్యాలయ ముద్ర, తది.

ముద్ర.



దీనిని రెవెన్యూ అధికారి సంతకము
కార్యాలయముద్ర, తది.
తండ్రి/భర్త పేరు

హం (రి సెక్షన్ లు)

గారి స్వంత భూములు

[illegible]

True Translation from Telugu:

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GOVERNMENT OF ANDHRA PRADESH
Title Deeds

Photo

Patta No. 018

(This should be certified
by the Tahsildar with
seal)

- 1 Name of the pattedar, : Manam Subbulu
father's/husband's name and
address w/o Ramanaiah
- 2 If belongs to SC/ST or BCs : Backward Class
- 3 In which village the lands are : Pamuru
situated
- 4 Revenue Jurisdiction : Pamuru
- 5 Revenue Division : Kandukur
- 6 District : Prakasam
- 7 Date of first entry recorded :

Sd/- xx xx,
Signature of the
Pattedar or thumb
impression

Sd/- xx xx,
Village Administrative
Officer.

Sd/- xx xx
Mandal Revenue
Officer, Pamuru
Prakasam Dist.

Sd/- xx xx
Revenud Divisional Officer,
Kandukur-

True Translation from Telugu:

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True Translation from Telugu:

Particulars of land owned by Smt.Manam Subbulu, w/o Ramanaiah

Sl. No.	Sy.No., sub-divn. No.	Extent Acs.cts. / Gts.	Classification Wet / Dry	How the land acquired Hereditary Purchased Or any other source	Credit particulars if any not entered according to ROR	Signature of the MRO	Market value according to register per acre	Loan particulars for the last 13 years if any	Signature of the sub-registrar and stamp	Remakrs
1	2	3	4	5	6	7	8	9	10	11
1	349-1	0-40	Dry	Own			20,000	1982/94		
2	425-1	1-45	Dry	Hereditary			20,000	No entry		
3	442-3	1-01	Dry	Purchase						

Sd/- xx xx,
Mandal Revenue Officer, Pamur.

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Office of the Executive Officer,
Sri Bhujangeswara Swamy vari devastanam,
Pamuru Village and Mandal,
Prakasam District.

Lr.No. 39 /2025, dated 03/01/2025

To
Smt. Manam Subbulu
W/o. Ramanaiah
Sitharama Thota, East Street,
Pamuru Village and Mandal,
Prakasam District – 523 108

Notice Under Section 83(2) of Endowments 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 Bhujangeswara Swamy vari devastanam, Pamuru Village & Mandal, Prakasam District, is the absolute owner of the property i.e., an extent of Ac.4-24cents in Survey No.442/3 of Pamuru Village & Mandal, Prakasam District, which is meant for getting done Bhajantri Service in the temple as clearly mentioned in the schedule here under and the said property was entered in the Property Register of the subject temple as prepared and Approved U/s.43(10) of the Endowments Act 30/87.

At present you Smt. Manam Subbulu W/o. Ramanaiah are continuing in occupation of an extent of Ac.1-01cents out of Ac.4-24cents of the schedule mentioned property belongs to the temple, without any right or authority to continue in possession of the schedule property and without having any approved Lease/ License / any permission from the Competent Authority 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

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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 the premises of the schedule mentioned property within seven (7) days and shall handover the 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 action will be taken against you as per the provisions of Sec 83 of Andhra Pradesh Charitable & Hindu Religious Institutions and Endowments Act 30/87, as Amended through Amended Act 36/2023.

SCHEDULE OF THE PROPERTY

Prakasam District, Pamuru Village & Mandal, temple land consisting of an extent of Ac.1-01cents out of Ac.4-24cents in Survey No.442/3 having boundaries as detailed below.

East : Temple Land
South : Chalivendram China Subbaiah's Land
West : R&B Roa
North : Temple Land

Copy to

The Assistant Commissioner,
Endowments Department, Ongole
for favour of kind information.

S. N. V. 03/01/23
Executive Officer
EXECUTIVE OFFICER
Sri Bhujengeswara Swamy Temple
PAMURU (Vill.),
Pamuru (Mdl.) Prakasam Dist.

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

. IN

Between:

1. Bosle Apparao, s/o Hariba,
Aged about: 70 years, Occ: Goldsmith,
Potti Sreeramulu Street, Pamur Village and Mandal,
Prakasam District.
2. Aakula Ramana Reddy, s/o China Venkata Reddy,
Aged about: 45 years, occ: Agriculture,
r/o Kondareddypally Village,
Gundinarva Post, Varikuntapadu Mandal,
SPSR Nellore District.
3. Smt.Manam Subbulu, w/o Ramanaiah,
Aged about: 60 years, occ: Housewife,
r/o East Street,
Pamuru Village and Mandal, Prakasam District.

Petitioners/ Petitioners

And

1. The State of Andhra Pradesh,
Revenue (Endowments-I) Department,
Secretariat, Velagapudi, Amaravathi,
Rep.by its Principal Secretary.
2. The Commissioner of Endowments,
State of Andhra Pradesh,
Gollapudi, Vijayawada.
3. Sri Bhujangeswara Swamy Vari Devasthanam,
Pamuru Village and Mandal, Prakasam District,
Andhra Pradesh, rep.by its Executive Officer.
4. The Assistant Commissioner of Endowments,
Prakasam District at Ongole.

**Respondents/
Respondents**

For the reasons stated in the supporting affidavit filed in W.P., it is prayed that the Hon'ble Court may be pleased to **SUSPEND** the notices of the 3rd respondent i.e., Sri Bhujangeswara Swamy Vari Devasthanam, Pamuru Village and Mandal, Prakasam District rep.by its Executive Officer issued vide Rc.No.41A/2025, dated 04-02-2025 to the 1st petitioner, Rc.No.44A/2025, dated 03-02-2025 to the 2nd petitioner and Rc.No.46A/2025, dated 03-02-2025 to the 3rd petitioner, so as to enable the petitioners to be in possession of the lands – the 1st petitioner is in possession of the land admeasuring an extent of Acs.1-15 cents in Sy.No.441/3, the 2nd petitioner is in possession of the land admeasuring an extent of Ac.0-95 cents in Sy.No.441/3 and the 3rd petitioner is in possession of the land admeasuring an extent of Acs.1-01 cents in Sy.No.442/3, situated at Pamuru Village and Mandal, Prakasam District, pending disposal of the main Writ Petition, and pass such other order or orders as the Hon'ble Court may deem fit and proper.

Amaravathi,
Dt:17-02-2025

M. Widyasagar
COUNSEL FOR THE PETITIONERS

GP

Prakasam District

HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI

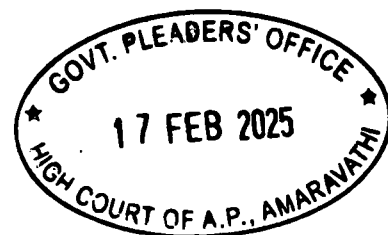
I.A.NO. OF 2025

IN

W.P.NO. OF 2025

Endts

SUSPENSION PETITION



Filed by:
Mr. M.Vidyasagar (8165)
Counsel for the Petitioners.

9866562373

