

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

I.A.No. OF 2025
 IN
I.A.No. 1 OF 2025
 IN
W.P.No 9038 OF 2025

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Amaravathi,
Date: 04-09-2025.

G.P. FOR ENDOWMENTS
(15527)

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**IN THE HON'BLE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI**

W.P.No. 9038 /2025

Between:

A. Venkata Maruthi Rama S/o (late) Dnavanthari Acharyulu
Age 43, Occ: Archaka (u/s) Sri Seetharama Swamy Temple,
Enikepadu (V), Vijayawada Rural (M) N.T.R. District.

...Petitioner

And

1) THE STATE OF Andhra Pradesh,
Revenue (Endowments) Department,
Rep.by its Principal Secretary, AP Secreariat Buildings,
Velgapudi, Amaravati, Gunturu District.

2) The Commissioner, Endowment Department,
A.P., Gollapudi, Vijayawada.

3) The District Endowment Officer,
Endowments Department,
Vijayawada, NTR District.

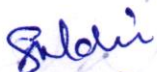
4) Sri Seetharama Swamy Temple,
Enikepadu (V), Vijayawada Rural (M)
N.T.R. District, Rep.by its Executive Officer.

...Respondents

COUNTER AFFIDAVIT FILED BY THE 2nd RESPONDENT:-

I, K.Ramachandra Mohan, S/o. late Venkata Narayana Murthy, Hindu, aged 57 years, Occ. Commissioner, (FAC) Endowments Department, A.P., Gollapudi, Vijayawada do hereby solemnly affirm and sincerely state on oath as follows:

2) It is submitted that I am working as Commissioner (FAC), Endowments Department, A.P., and that I am the 2nd Respondent in this case and as such



ATTESTOR

*Gazetted Superintendent
O/o The Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)*



DEPONENT

*Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)*

acquainted with the facts of the case. I have read and understood the averments of the affidavit of the petitioner filed in support of the writ petition.

I deny all the material averments made therein except those which are specifically admitted hereunder and those that are not contrary to the record. The petitioner is put to strict proof of the same.

3) It is submitted that the petitioner filed this writ petition for an order in the nature of Writ of Mandamus declaring the action of the 4th Respondent in issuing proceedings in Lr.No.Nil, Dt.08.08.2024 suspending the petitioner as bad, illegal, arbitrary, violative of principles of natural justices, without jurisdiction and violative of articles 14, 16, 21 & 25 of Constitution of India and consequently set aside the same and direct the respondents to reinstate the petitioner into service. This Writ Petition is not maintainable either on facts or in Law.

4) It is submitted that the 4th respondent - temple (herein after mentioned as **"the subject temple"**) was published U/s 6 (c)(ii) of the A.P., C & HRI and Endowments Act, 1987 (Act 30/1987) and the same is under the administrative control of 3rd respondent. The subject Temple was registered U/s 43 of the Act 30/1987 and approved by the 3rd respondent – Assistant Commissioner, Endowments Department, Vijayawada vide R.Dis.No.A1/6938/2009, Adm, Dt. 06.11.2009. As per approved register of the subject temple maintained u/s 43 of the Act, the petitioner was an Archaka on Contract basis with Consolidated pay.

5) It is submitted that the averment of the petitioner that initially from the time of the forefathers of the petitioner, they were rendering Archakatvam Hereditarily in the subject Temple is not true and correct. The petitioner is put to strict proof of the same.

ATTESTOR

Gazetted Superintendent
O/o The Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)



DEPONENT

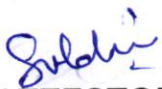
Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)

The services of the petitioner were engaged in the subject Temple on Contract basis with Consolidated pay of Rs. 1,200/-P.M and the same has been enhanced from time to time and his Consolidated pay at the time of his suspension was Rs.15,625/-P.M.

6) It is further submitted that while the matter stood thus, Enikepadu villagers namely K.Koteswara Rao & 19 others together made a complaint Dt. 12-07 2024 to the 4th respondent to take action against the petitioner herein stating.

1. that not performing Dhoopa Deepa Naivedyam properly in the Temple.
2. that not opening the Temple timely and causing much inconvenience to the devotees.
3. that indecent behaviour with devotees.
4. that not available in the Temple even after opening it and left the Temple by keeping others.
5. that obscenely behaving towards devotees and carrying prohibited events in the Temple premises.
6. that committing adultery in the Temple premises openly.
7. that not performing Archakatvam properly even at the time of festivals and there by the villagers/devotees coming to temple are used to return unsatisfactorily.

7) It is further submitted that the then Executive Officer of the subject Temple issued proceeding vice Lr.No.Nil, Dt. 08.08.2024 temporarily stopped service of the petitioner, who is a consolidated wages Archaka and engaged another Archaka on consolidated wages for performing Archakatvam in the subject Temple. Aggrieved by the said orders, the petitioner filed the present Writ petition stating that those orders are suspension orders. In fact, suspension of contract employee does not arise.



ATTESTOR

Gazetted Superintendent
O/o The Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)



DEPONENT

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Endowments Department
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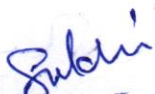
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In case, the services of a contract employee are satisfactory, he will be continued depending on work load. If not satisfactory, his services will be stopped.

8) It is further submitted that this Hon'ble court was pleased to grant an interim order in I.A. No. 1/2025 in W.P. No. 9038/2025 Dt.25.04.2025 as follows.

“Learned counsel for the petitioner submits that petitioner has been suspended by proceedings, dated 08.08.2024, and in terms of proviso to Rule 6(1) of A.P. Charitable and Hindu Religious Institutions and Endowments Office Holders and Servants Punishment Rules, 1987, the suspension period cannot exceed more than six months without previous orders of competent authority and also places reliance on the judgment passed by the co-ordinate Bench of this Court in M. Phanidhar Prasad v. State of A.P. : (Order, dated 23.12.2020, in W.P.No.19625 of 2020). 2. In view of the embargo provided under the aforesaid provision and also considering the directions issued in the case of M.Phanidhar Prasad (supra), as the suspension period exceeded than what has prescribed under the Rule, the impugned suspension order, dated 08.08.2024, issued by the 4 respondent, shall stand suspended, pending further orders.”

9) It is humbly submitted that even after passing of the Interim orders as above, the petitioner did not turn up personally to the subject Temple to join duty in pursuance of the said interim orders of this Hon'ble court. Later 4th respondent issued a show cause notice vide Lr.No.Nil/2025, Dt.12.06.2025 to the petitioner calling him to submit explanation on the complaint allegations made by the villagers, through register post as he refused to receive it on personal service.



ATTESTOR
Gazetted Superintendent
O/o The Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)



DEPONENT
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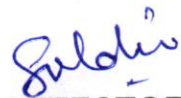
Thereafter, instead of submitting explanation to the show cause notice, the petitioner has sent a letter to the 4th respondent by enclosing copy of interim orders of this Hon'ble court with a request to admit him into service through register post, which was received by the office staff of the subject temple on 21.06.2025 but the petitioner did not come to the subject temple to join duty.

10) It is respectfully submitted that the petitioner had worked as an Archaka on contract basis with consolidated pay and that he is not a regular employee in the establishment of the subject Temple, APCH & HRI and Endowments Office Holders and servants punishment rules, 1987 are not applicable to him as those rules are applicable only to the regular employees of the temple.

11) It is further submitted that the Villagers of Enikepadu, who made complaint against the petitioner herein, are supporting the complaint averments. Hence, the 4th respondents issued proceedings vide Lr.No.Nil/2025, Dt.26.06.2025 stopping the services of the petitioner and served the same through register post. Aggrieved by the said orders, the petitioners filled W.P.No.17699/2025 before this Hon'ble Court. The cause of action mentioned in this Writ petition challenging the letter Dt.08.08.2024 regarding suspension order would not survive further. Hence, this Writ petition became infructuous. Further, no prima facie case is made out by the petitioner in support of relief as prayed for in this case.

12) In view of the above mentioned reasons, the interim orders granted by the Hon'ble Court in I.A.No.1 of 2025 in the W.P.No.9038/2025 Dt: 25.04.2025 are liable to be vacated. Else, the official respondents would be put to irreparable loss and hardship.

13) In view of the above facts and circumstances, it is, therefore, prayed that the Hon'ble Court may be pleased to vacate the interim order granted in



ATTESTOR

Gazetted Superintendent
O/o The Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)



DEPONENT

Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada

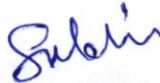
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I.A.No.1 of 2025 in the W.P.No.9038/2025 Dt: 25.04.2025 and dismiss main writ petition as devoid of merits and pass such other order/orders as the Hon'ble court may deem fit and proper in the circumstances of the case to meet the ends of justice.

Sworn and signed before me
on the 29th day of August, 2025
at Vijayawada.



DEPONENT

Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)



ATTESTOR

Gazetted Superintendent
O/o The Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)

VERIFICATION STATEMENT

I, K.Ramachandra Mohan, S/o. Venkata Narayana Murthy, Hindu, aged 57 years, Occ. Commissioner(FAC), Endowments Department, A.P., Gollapudi, Vijayawada do hereby verify and declare that the averments mentioned in all paras of counter affidavit are true and correct to the best of my knowledge, belief and information based on available record.

Verified at Vijayawada on the 29th day of August, 2025.

G.P FOR ENDOWMENTS



DEPONENT
Commissioner
Endowments Department
A.P., Gollapudi, Vijayawada (R)

The Hon'ble court vide his order Dt.25.04.2025 was pleased to suspend the impugned order dated. 08.08.2024 issued by the Executive Officer of the subject Temple on the ground that the suspension period cannot exceed more than six months without previous orders of competent authority in terms of proviso. to Rule 6(1) of A.P.C & H.R.I and Endowments Office Holders and Servants Punishment Rules, 1987. But Sri A.Venkata Maruthi Rama did not turn up personally to the subject Temple to report join duty in pursuance of Interim orders of the Hon'ble Court.

In the reference 3rd cited above, the under signed issued a show cause notice to Sri A. Venkata Maruthi Rama calling him to submit explanation on the allegations made by the villagers, through Register Post as he refused to receive it on personal service. Thereafter, instead of submit explanation to the show cause notice, Sri A. Venkata Maruthi Rama has send a letter by enclosing copy of interim orders of the Hon'ble Court with a request to rejoin him into service through register post, which was received by the office staff on 21.06.2025, but actually Sri A. Venkata Maruthi Rama is not turned up to the Temple to join duty and to perform Archakatvam in the subject Temple.

Since, Sri A. Venkata Maruthi Rama was worked as Archaka on consolidate wages and not a regular employee in the establishment of subject Temple. Hence, A.P.C & H.R.I and Endowments Office Holders and Servants Punishment Rules, 1987 are not applicable to him.

The villagers are supporting the complaint averments. In view of the same, the services of Sri A. Venkata Maruthi Rama as Archaka on consolidated wages, is, hereby stopped.


Executive Officer 26/6/2025

Executive Officer
Sri Seetharama Swamy Temple
Enikepadu (V), Vijayawada Rural (M)
NTR District, Andhra Pradesh.

To

A.Venkata Maruthi Rama S/o (late) Danavanth acharyulu House NO. 9-39, Enikepadu (V), Vijayawada Rural (M) (through RPAD)



POSTAGE PAID BY ADDRESSEE
IN EFFICIENCY ORDER S.O. 1200/2006
Dated: 12.07.2024, 11:54
To: SRI SEETHARAMA SWAMY TEMPLE, ENIKEPADU
From: SRI VENKATA MARUTHI RAMA S/O (late)
M/S: SRI VENKATA MARUTHI RAMA S/O (late)

Office of the Executive Officer
Sri SeetharamaSwamy Temple,
Enikepadu (V), Vijayawada Rural (M)

Lr.No.NII/2025, Dt.26.06.2025.

Sub: Endowments Department – NTR District – Sri Seetharama Swamy Temple, Enikepadu (V), Vijayawada Rural (M) – Sri A.Venkata Maruthi Rama S/o (late) Danavanthacharyulu – Archaka on consolidated wages –Allegations received – Show cause notice issued – Explanation not submitted – Utilization of his services stopped - Orders issued.

- Ref:** 1. Written complaint Dt. 12.07.2024 from Sri K.Koteswara Rao & Others R/o Enikepadu (V), Vijayawada Rural (M).
2. T/o proceedings vide Lr.No.NII, Dt. 08.08.2024.
3. Show cause notice vide Lr.No.NII/2025, Dt.12.06.2025.

&&&

In the reference 1st cited above, Enikepadu villagers namely Sri K.Koteswara Rao & 19 others together made complaint to take action against Sri A.Venkata Maruthi Rama S/o (late) Danavanthacharyulu, Archaka working in the establishment of Sri Seetharama Swamy Temple, Enikepadu (V) Archaka on consolidate wages stating that.

1. that not performing Dhoopa Deepa Naivedyam properly in the Temple.
2. that not opening the Temple timely and causing much inconvenience to the devotee Public.
3. that indecently behave with devotee public.
4. that not available in the Temple even after open it and left the Temple by keeping others.
5. that obscenely behave towards devotees and carrying prohibited events in the Temple premises.
6. that carrying adultery in the Temple premises openly to the villagers and that the villagers left the place shamefully by bound their heads.
7. that not performing Archakatvam properly even at the time of festivals and there by the villagers/devotees used to return un satisfactory.

In the reference 2nd cited above, proceedings are issued by the then Executive Officer of the subject Temple temporarily stop services of Sri A.Venkata Maruthi Rama Consolidated wages Archaka and engaged another Archaka on consolidate wages for performing Archakatvam in the subject Temple.

Subsequently, Sri A.Venkata Maruthi Rama filed W.P.No.9038/2025 before the Hon'ble High Court of Andhra Pradesh at Amaravathi challenging the proceeding issued in the reference 2nd cited above, as if those proceeding are suspension proceedings instead of proceedings of temporarily stopped services of consolidated wages employee.

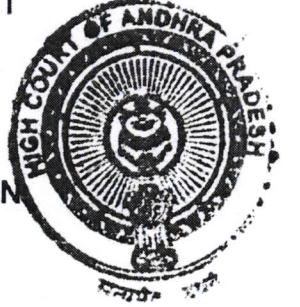
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

[3506]

FRIDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN



IA No. 1 OF 2025

IN

WP NO: 9038 OF 2025

Between:

A Venkata Maruthi Rama, S/o. Late Dhanwanthari Acharyulu, Age 43 Years,
Occ .Archaka (under suspension) in Sri Seetharama Swamyvari Temple,
Enikepadu, Vijayawada Rural, NTR District

...Petitioner

(Petitioner in WP 9038 OF 2025
on the file of High Court)

AND

1. The State of Andhra Pradesh, Revenue (Endowments) Department,
Rep. by its Principal Secretary, Office at Velgapudi, secretariat
Buildings Amaravathi, Guntur District.
2. The Commissioner Endowments Department, Government of Andhra
Pradesh Office at Gollapudi, Vijayawada, Krishna District.
3. The District Endowment Officer, Vijayawada, NTR District
4. Sri Seetharama Swamyvari Temple, Enikepadu, Vijayawada Rural,
NTR District. Rep. by its Executive Officer

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : Sri D V SASIDHAR

Counsel for the Respondents :GP FOR ENDOWMENTS

Petition under Section 151 CPC praying that in the circumstances
stated in the affidavit filed in support of the petition, the High Court may be
pleased to suspend the operation of the impugned proceedings of the 4th

respondent dated 08.08.2024 , Pending disposal of WP No. 9038 of 2025, 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

“Learned counsel for the petitioner submits that petitioner has been suspended by proceedings, dated 08.08.2024, and in terms of proviso to Rule 6(1) of A.P. Charitable and Hindu Religious Institutions and Endowments Office Holders and Servants Punishment Rules, 1987, the suspension period cannot exceed more than six months without previous orders of competent authority and also places reliance on the judgment passed by the co-ordinate Bench of this Court in M. Phanidhar Prasad v. State of A.P. : (Order, dated 23.12.2020, in W.P.No.19625 of 2020).

2. In view of the embargo provided under the aforesaid provision and also considering the directions issued in the case of M.Phanidhar Prasad (supra), as the suspension period exceeded than what has prescribed under the Rule, the impugned suspension order, dated 08.08.2024, issued by the 4th respondent, shall stand suspended, pending further orders.”

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

F

SECTION OFFICER

To,

1. The Principal Secretary, The State of Andhra Pradesh, Revenue (Endowments) Department, Secretariat, Velagapudi, Amaravati, Guntur District.(by SPECIAL MESSENGER)
2. The Commissioner Endowments Department, Government of Andhra Pradesh Office at Gollapudi, Vijayawada, Krishna District.
3. The District Endowment Officer, Vijayawada, NTR District.
4. The Executive Officer, Sri Seetharama Swamyvari Temple, Enikepadu, Vijayawada Rural, NTR District.(Nos. 2 to 4 By RPAD)
5. One CC to SRI. D V SASIDHAR Advocate [OPUC]

MEMORANDUM OF WRIT VACATE MISC., PETITION
(Under Section 151 of C.P.C)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

I.A.No. OF 2025
 IN
I.A.No. 1 OF 2025
 IN
W.P.No. 9038 OF 2025

BETWEEN:

1. The Commissioner of Endowments
 Gollapudi, Vijayawada. Petitioner/ 2nd Respondent

AND

1. A venkata Maruthi Rama,
 S/o .Late Dhanwanthari Acharyulu Age 43 Years,
 Occ :Archaka under suspension in
 Sri Seetharama Swamyvari Temple Enikepadu ,
 Vijayawada Rural NTR District.. Respondent /Petitioner
2. The State of Andhra Pradesh
 Revenue Endowments Department
 Rep by its Principal Secretary Office at Velgapudi
 secretariat Buildings Amaravathi Guntur District.
3. The District Endowment Officer
 Vijayawada NTR District.
4. Sri Seetharama Swamyvari Temple
 Enikepadu Vijayawada Rural NTR District
 Rep by its Executive Officer. ... Respondents/Respondents

(Respondents 2 to 4 are not necessary parties in this petition)

For the reasons stated in the accompanying counter affidavit it is therefore prayed that this Hon'ble Court may be pleased to vacate the interim order granted in I.A.No.1 of 2025 in WP.NO.9038 of 2025, dated 25.04.2025 and dismiss the main writ petition as devoid of merits and pass such order or orders as this Hon'ble Court may be deemed fit and proper in the Circumstances of the case.

Amaravathi,
Date 04-09-2025.

Govt. Pleader for Endowments

DISTRICT:: KRISHNA

HIGH COURT::AMARAVATHI

I.A.No. OF 2025

I.A.No. IN
 1 OF 2025

W.P.No . IN
 9038 OF 2025

VACATE PETITION
FILED BY THE 2ND RESPONDENT

Govt. Pleader for Endowments

(15527)