

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P.No.

OF 2025

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DATE: 03.02.2025
Amaravati


Counsel for the Petitioner

MEMORANDUM OF WRIT PETITION
(Under Art.226 of the Constitution of India)
IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

W.P.No. of 2025

Between:

1. Challa Vasantha,
W/o Challa Suryanarayana,
aged about 75 years.
2. C.V.V. Kumar,
S/o Challa Suryanarayana,
aged about 50 years.
3. C. Sridevi,
D/o Challa Suryanarayana,
aged about 47 years.
4. C. Ramadevi,
D/o Challa Suryanarayana,
aged about 43 years.
All are residents of D.No.14-37-15/1,
Krishna Nagar, Maharani-peta,
Collectorate Area, Visakhapatnam.
(Petitioners 2 to 4 are represented by
G.P.A.Holder i.e, 1st petitioner herein)

...Petitioners

And

1. State of Andhra Pradesh, rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District.
2. The Commissioner,
Endowments Department,
Government of Andhra Pradesh,
Gollapudi, Vijayawada-521 225.
3. Sri Varaha Lakshmi Narasimha Swamy
Vari Devasthanam, Simhachalam,
Visakhapatnam, rep.by its Executive Officer.

...Respondents

- 4 -

The address for service of all notices and summons of process to the above named petitioners is that of their Counsel Mr. Kochiri Raja Shekar, Advocate, Flat No.204, 3rd Floor, A-Block, Sri Srinivasa Apartments, Opp. HDFC Bank, Gorantla, Guntur.

For the reasons stated in the accompanying affidavit, the petitioners pray that this Hon'ble Court may be pleased to issue appropriate writ, more particularly, one in the nature of writ of mandamus declaring the order passed by the 3rd respondent in Order/SVLNSD-LG/J1/HC/30/2024 dated 13.12.2024 as illegal, arbitrary, violative of Article 14, 21 and 300-A of the Constitution of India besides violation of human rights guaranteed as per Universal Declaration of Human Rights, Covenants, Civil and Political Rights and set-aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Amaravati,

Dt. 03-02-2025


Counsel for the petitioners

Visakhapatnam District

HIGH COURT AT AMARAVATI

W.P.No. of 2025

WRIT OF MANDAMUS

Filed on: 03-02-2025

Filed by::

Mr. Kochiri Raja Shekar (22366)
Advocate

Counsel for the Petitioner

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IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT AMARAVATI

W.P.No. of 2025

Between:

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2. The Commissioner,
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Gollapudi, Vijayawada-521 225.
3. Sri Varaha Lakshmi Narasimha Swamy
Vari Devasthanam, Simhachalam,
Visakhapatnam, rep.by its Executive Officer.

...Respondents

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AFFIDAVIT

I, Challa Vasantha, W/o Challa Suryanarayana, aged about 75 years, R/o D.No.14-37-15/1, Krishna Nagar, Maharanipeta, Collectorate Area, Visakhapatnam, having temporarily come down to Amaravati, do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the 1st first petitioner herein and as such I am well acquainted with the facts of the case. I am deposing this affidavit on my behalf and on behalf of the petitioners 2 to 4 herein also, as I am authorized to do so.

2. I submit that, we filed the present writ petition questioning the Final Order passed by Respondent No.3 in Order/SVLNSD-LG/J1/HC/30/2024 dated 13.12.2024 in pursuance of amended Section 83 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (hereinafter referred as Act No.30/1987).

3. I submit that, the petitioners are in possession and enjoyment of the property admeasuring an extent of Ac.3-40 cents in Sy.No.181, P.No.35 of Vepagunta Village, Chinagadili Mandal, Visakhapatnam District, now merged Municipal Corporation, is a private land belonging to the petitioners and they are in continuous possession and enjoyment since 1960.

4. I submit that, I am the mother of the Petitioner Nos.2 to 4 and daughter-in-law of one Challa Perindevamma. My mother-in-law Smt. C.Perindevamma is the absolute owner and possessor of an extent of Ac.3-40 cents in Sy.No.181, P.No.35 of Vepagunta Village, Chinagadili Mandal, Visakhapatnam District having purchased the same under a registered Sale Deed dated 22.08.1960. She purchased the said land from Dasari people. It is a zero-yathi land. After purchasing the said land, she raised a garden consisting of various fruit bearing trees which include teak trees, tamarind, mango, sapota, etc. She being the absolute owner of the said land, used to pay taxes to the Vepagunta Gram Panchayat initially and now to the Greater Visakhapatnam Municipal Corporation. The revenue authorities having known that it is a zero-yathi and inam land and never included in the inam lands of Sri Varaha Laxmi Narasimha Vari Devasthanam in the enquiry conducted under Section 3(3) of Inams Abolition Act, 1956. The order of the M.R.O. Pendurthi dated 30.04.1989 omitted these lands for consideration of the said lands for grant of patta in favour of the Devasthanam. However, during the course of time, the authorities of Devasthanam could see the same is included in an order of the M.R.O., under Section 7 of the Inams Abolition Act dated 16.01.1997. The MRO passed the said order without any notice to my mother-in-law, but did not take steps to take possession of the property. During the year 1998 when there was a heavy cyclone and when the teak trees were fallen,

my mother-in-law requested the Gram Panchayat for taking away the fallen trees, a certificate styling it as route permit dated 11-12-1998 was issued to that effect.

5. I submit that my mother-in-law executed a registered will and bequeathed the said property in favour of my children i.e. her grand children, the petitioners 2 to 4 herein. The petitioners 2 to 4 herein executed Special General Power of Attorney in my favour to deal with the said property on their behalf before the erstwhile Hon'ble High Court of Andhra Pradesh at Hyderabad. As the matter stood thus, my mother-in-law died during the year 2000. Consequent upon death of my mother-in-law, the property vested on my children being the legatees under the Will and they became absolute owners of the property.

6. I submit that the letter correspondence made by my mother-in-law with Respondent No.3 during her life time and also by myself subsequent to her death categorically discloses that we have been in actual possession and enjoyment of the land to an extent of Ac.3-40 cents in Sy.No.181 where we constructed a small house and raised a garden categorically discloses our possession and enjoyment. Respondent No.3 though issued an auction notification dated 21.03.2010 and 30.03.2010, due to resistance of the people claiming possession and title to various items of land as shown in the

notifications, virtually did not proceed with the process of auction. I submit that some of the owners of the said lands also appear to have been instituted writ petitions before the Hon'ble High Court and obtained interim orders.

7. I submit that, Respondent No.3 - Devasthanam with a view to harass the persons in possession of the said lots of land resorted to creation of certain documents as if the auction took place. I submit that the usufruct present in our garden virtually is of an amount of more than Rs.50,000/-. But, Respondent No.3 with a view to harass us, sent its men along with one K.V.N. Murthy, Reporter, Vijayabhanu Newspaper, Simhachalan Branch, Visakhapatnam, as if the auction took place and his bid was accepted for an amount of Rs.2,600/- and given him right to take away the usufruct in our garden. In the event of taking away the usufruct, we will be put to great hardship and difficulty. Therefore, to protect our possession, we approached the erstwhile Hon'ble High Court of Andhra Pradesh at Hyderabad for issue of direction against the respondents not to interfere with our possession and enjoyment of the usufruct.

8. I submit that, Vepagunta is an Inam village that was notified under the provisions of the A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Inams Abolition Act) Survey and

Settlement operations have not been conducted after coming into force of the Inams Act and no notices have been issued either to me or my predecessors-in-title under the provisions of the Inams Abolition Act, particularly under Section 3. The lands situated in Sy.No.191 of Vepagunta Village is classified as "Zeroyati" in the Survey and Settlement Register (Gilman Register) of the year 1903 which is an authentic official record prepared under the provisions of the Madras Survey and Boundaries Act, 1897. The land in question is not shown as "Inam" in the Gilman Register. The Survey & Settlement authorities who conducted the survey and settlement operations and prepared the said record in the year 1903 took great pains to clearly indicate the classification of the land so as to clearly shown which land had been endowed in favour of the temple and thereby classified only the endowed land as "Inam". This expression clearly shows that the land in question is not Inam land and that it was not endowed in faovur of the temple by the land holder. "Zeroyati" means the proprietor's private lands, which are cultivable and such land does not form part of the grant of Inam in favour of the temple. The presence of private lands in Inam Villages in the Andhra Area is not an uncommon phenomena and the land in question is one such example. The said private land cannot be claimed by the temple to be a grant in its favour, when the Survey & Settlement Register prepared in 1903 shows that the land is "Zeroyati" and not "Inam". The concept and existence of private lands in Inam

Estates and in Inam Villages is recognized under the provisions of A.P. (A.A.) Estates Land Act, 1908 and the same is distinguishable from zeroyati land, as defined in the said statute. The Survey and Settlement Register (Gilman Register) is of greatest significance and importance for the purpose of testing and establishing whether or not a particular extent of land was covered by the grant of Inam in favour of the temple. When the said record does not show the land in question as Inam, the temple cannot claim ryotwari patta in respect of the same. The name of my predecessors' title, namely Dasari people has been shown as the pattadar of the said land in Column No.8 of the Gilman Register, indicating that he was in possession of the said land in the year 1903 itself.

9. I submit that the Village Account No.10(1) also shows that the land in Sy.No.181 comprising an extent of Ac.3-40 cents and the name of Dasari Venkayya is shown as the owner of the land.

10. I submit that, the Hon'ble High Court of Madras in Dadamudy Tataya and others vs. Kelachina Venkatasubbaraya Sastry [AIR 1928 Madras 786] while considering the expression "Zeroyati" with reference to the lands in Vuyyuru Zamindari of Krishna District held that the word "Zeroyati" may mean cultivate or arable land and it may also mean

assessable or assessed land as opposed to inam land, as such, Respondent No.3 – Temple cannot claim the Zeroyati land in question.

11. I submit that, the land in question is "Zeroyati" that was expressly excluded from the grant of inam by the zamindar and was the proprietor's private land and as such, Respondent No.3 has no manner of claim over the same. I submit that, no ryotwari patta had been granted in its favour. Even assuming that without conceding that a ryotwari patta had been granted under the provisions of the Inams Abolition Act, the same would not confer any title on Respondent No.3, in as much as the land in question is not "Inam" land.

12. I submit that the land in question has been in our exclusive possession and enjoyment since 1982 and prior to this, it was in our possession and enjoyment of my predecessors-in-title, a fact which is reflected in the Gilman Register of the year 1903 and in the subsequent registered documents from the year 1931.

13. I submit that, on 01.04.2010, I was informed that Respondent No.3 published a notification in Rc.No.C3/926/2010 dated 21.03.2010 in Vijaya Bhanu Telugu Daily relating to the publication auction of the lease hold rights of the usufruct of the fruit bearing trees situated over the land in Sy.No.181 which is private land, belonging to us. This

notification amounts to be a virtual unilateral declaration by Respondent No.3 that the private land in question, belongs to Respondent No.3 which is totally unjustified. No notice of any nature has been issued to me or other petitioners by Respondent No.3 on 20.04.2010, the temple officials trespassed into our my land and conducted an inspection. As a matter of fact, in the said notification my land has been described as Sy.No.181 at Sl.No.24(4).

14. I submit that the land has been in occupation of private individuals, since time immemorial and there are records showing such occupation and ownership since the year 1903. The action of Respondent No.3 in unilaterally treated it as its own land is illegal, arbitrary, in violation of principles of natural justice and also in violation of Article 300-A of the Constitution of India.

15. I submit that the petitioners herein who were the petitioners in W.P.No.9769 of 2010 sought writ of mandamus declaring the respondent's auction notification in Rc.No.C3/926/2010 dated 30.03.2010 insofar as it relates to the petitioners land situated in Sy.No.181 admeasuring an extent of Ac.3-40 cents in P.No.35 of Vepagunta Village and the subsequent record created, as if the auction was held in favour of Respondent No.3 in the said writ petition for paltry amount of Rs.2,600/- as illegal, arbitrary and violative of

principles of natural justice and also in violation of Article 300-A of the Constitution of India and consequently set-aside the same.

16. I submit that, upon hearing argument of counsel for the petitioners and learned Government Pleader for Endowments and Standing Counsel for the Respondent No.3, the Hon'ble Court passed the following interim order in W.P.M.P.No.12577 of 2010 dated 27.04.2010:

"Pending further orders, petitioners shall not be dispossessed of the property in question nor shall the usufruct be removed except after the petitioners are evicted in accordance with Section 83 of Act 30/87."

17. I submit that the main writ petition i.e. W.P.No.9769 of 2010 is still pending for hearing before the Hon'ble High Court. A copy of case status information of W.P.No.9769 of 2010 downloaded from the website of Hon'ble High Court and copy of interim order in WPMP No.12577 of 2010 dated 27.04.2010 are herewith filed to substantiate the contention of the petitioners that the interim order was granted in favour of the petitioners directing the respondents not to dispossess the petitioners from the property in question or to remove the usufruct except by following Sec.83 of A.P. Act 30 of 1987.

18. I submit that, while the matter stood thus, the Government passed an Ordinance No.5 of 2023 amending certain provisions of Act No.30/1987. One of the provision substituted to the Principal Act is

Section 83, while repealing Sections 84, 85 and 86 and amending Sections 91, 93 and 94 of the Act. A copy of the Ordinance No.5 of 2023 dated 26.06.2023 published in Andhra Pradesh Gazette Part-IV-B Extraordinary is herewith submitted for perusal of this Hon'ble Court.

19. I submit that, in view of substitution of Section 83, the earlier procedure for removal of encroachment through the Tribunal established under the Act is taken away. However, the amendment to the Act was approved by the State Legislature on 27.10.2023 and passed Act No.36 of 2023, obtaining assent of the Governor on 18.10.2023, giving retrospective effect on 26.06.2023. Even as per the Act, new Section 83 was substituted for Section 83 of the Principal Act without repealing Section 83 of the Principal Act. In ordinary course, a provision can be substituted only after repealing the existing provision, but, the State did not repeal Section 83 of the Principal Act, but substituted new section conferring power on the Executive Officer or the Assistant Commissioner of Endowments Department to evict encroachers by following summary procedure.

20. I submit that, under original Section 83 of the Principal Act, a different procedure was enacted for eviction of encroachers of land, building or any property belonging to a charitable or religious institution or endowment. Sub-section (1) of Section 83 of Principal Act permits

the Assistant Commissioner having jurisdiction, either suo motu or upon a complaint made by the trustee has reason to believe that any person has encroached upon any land, building, tank, well, spring or water-course or any space belonging to the institution or endowment, wherever situated or deemed as an encroacher under any of the provisions of this Act, the Assistant Commissioner shall report the fact together with relevant particulars to the Endowments Tribunal having jurisdiction over the division in which the institution or endowment is situated.

21. I submit that, the "Endowments Tribunal" is substituted for the word "Deputy Commissioner" by Act 33/2007, with effect from 03.01.2008.

22. I submit that, Sub-section (2) provides the procedure to be followed by the Endowments Tribunal for removal of encroachments. According to it, where, on a perusal of the report received by him under sub-section (1), the Endowments Tribunal finds that there is a prima facie case of encroachment, it shall cause to be served upon the encroacher a notice specifying the particulars of the encroachment and calling on him to show cause before a certain date why an order requiring him to remove the encroachment before the date specified in

the notice should not be made. A copy of the notice shall also be sent to the trustee of the institution or endowment concerned.

23. I submit that, as per Sub-section (3) the notice referred to in sub-section (2) shall be served in such manner as may be prescribed. According to Sub-section (4), where after considering the objections, if any, of the encroacher received during the period specified in the notice referred to in sub-section (2) and after conducting such enquiry as may be prescribed, the "Endowments Tribunal" is satisfied that there has been an encroachment, it may, by order, require, the encroacher to remove the encroachment and deliver possession of the land or building or space encroached upon to the trustee before the date specified in such order.

24. I submit that, according to Sub-section (5), the order of the "Endowments Tribunal" under sub-section (4) shall be in writing and shall contain the grounds on which he has passed the order and according to Sub-section (6) During the pendency of the proceedings, the "Endowments Tribunal" shall order the encroacher to deposit such amount as may be specified by it in consideration of the use and occupation of the properties in question in the manner prescribed.

25. I submit that, as can be seen from Section 83 of the Principal Act, as amended by Act No.33/2007 with effect from 03.01.2008, power is conferred on the "Endowments Tribunal" to make an enquiry and order for removal of encroachments, taking into consideration of relevant factors, after recording its satisfaction that a particular person is an encroacher. A statutory tribunal is constituted presided by an officer in the cadre of a District Judge and conferred powers upon it under Section 87 of the Act to decide certain disputes and matters.

26. I submit that, moreover, by Ordinance No.5 of 2023 and Act 36 of 2023, Sections 84, 85 and 86 were totally repealed. Section 84 of the Principal Act deals with mode of eviction on failure of removal of the encroachment as directed by the "Endowments Tribunal". Section 85 of the Principal Act deals with encroachment by group of persons on land belonging to charitable and religious institutions and their eviction and Section 86 of the Principal Act deals with Penalty for offences in connection with encroachments. On account of repeal of Sections 84, 85 and 86 of the Principal Act, the officers of the charitable or religious institution or endowment are competent to decide its title and whether a person is an encroacher or not under order for eviction by way of amendment to the Act, substituting Section 83. But, Section 83 of the Principal Act and Repeal of Sections 84, 85 and 86 of the Principal Act, the procedure for eviction of encroachers from the property belonging to

charitable or religious institution or endowment property is converted into summary in nature and passing an order by the officer of the institution is nothing but a ritual. The Executive Officer of the 3rd respondent is representing the idol, as Idol is a perpetual minor. Idol, the 3rd respondent is a rival claimant. Deciding whether the petitioners are encroachers not by representative of rival claimant and ordering eviction of petitioners is violation of Principles of Natural Justice, as no one can be a Judge in his own case. As per the procedure prescribed under substituted Section 83 of the Endowments Act as amended by Act 36 of 2023 and Repealing of Sections 84, 85 and 86 of the Principal Act, the valuable right of a citizen to approach the judicial or quasi-judicial forum was taken away abruptly. When Act 36 of 2023 is given retrospective effect from 26.06.2023, though assent of the Governor was obtained on 18.10.2023, as such, the Act is having effect from 26.06.2023 only and not beyond that.

27. I submit that, I and the other petitioners have acquired right under Sections 83, 84, 85 & 86 of Principal Act 30 of 1987 and shall not be evicted, except by following procedure under Section 83 of the Principal Act as amended by Act 33 of 2007.

28. I submit that, since Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act is a State enactment, the

provisions of A.P.General Clauses Act will apply. According to Section 8 of the Act, any State Act or Regulation made after the commencement of this Act, repeals any enactment hitherto made or hereafter to be made, then, unless a different intention appears, the repeal shall not revive anything not in force or existing at the time at which the repeal takes effect; or affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder; or affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed; or affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the repealing Act or Regulation had not been passed. Therefore, the right accrued under Sections, 83, 84 & 85 of the Principal Act shall not be taken away by the amended provisions of A.P.Act 30 of 1987 as amended by 36 of 2023.

29. I submit that, normally, amendment of any provision in the Act will be given prospective effect, but in certain circumstances the Courts by interpretation of amended provisions of the Act concluded that such

amendments be given retrospective effect if the amended provision deals with procedure to be followed for prosecuting the case. There are two views under Interpretation of Statutes. One is "the law looks forward, not backward" based on the maxim "*Lex Prospicit non respicit*", which means that laws are generally deemed or presumed not to have retroactive. Similarly, there is another maxim i.e. "*Lex De Futuro, Judex De Praeterito*", that means the law provides for the future.

30. I submit that, Law, which deals with substantive rights of the parties have to be given prospective effect, but in case of procedural laws, there are conflicting views. Another legal maxim "*Nova Constitution futuris formam imponere debet non praeteritis*", which means new law ought to regulate what is to follow, not the past. The same view point has been taken in "*Monnet Ispat and Energy Limited v. Union of India and others [(2012) 11 SCC 1]*", where the Supreme Court held that this principle operates until and unless there is an express provision in the statute stating/indicating retrospective applicability of the statutes.

31. I submit that the Hon'ble Apex Court in "*Commissioner of Income Tax (Central)-I, New Delhi v. Vatika Township Private Limited [(2015) 1 SCC 1]*" held that if a legislation confers a benefit on some persons but without inflicting a corresponding detriment on some other person or on

the public generally, and where to confer such benefit appears to have been the legislators object, then the presumption would be that such a legislation, giving it a purposive construction, would warrant it to be given a retrospective effect. This exactly is the justification to treat procedural provisions as retrospective. In such cases, retrospectively is attached to benefit the persons in contradistinction to the provision imposing some burden or liability where the presumption attaches towards prospectivity. Thus, legislations which modified accrued rights or which impose obligations or impose new duties or attach a new disability have to be treated as prospective unless the legislative intent is clear to give the enactment a retrospective effect; unless the legislation is for purpose of supplying an obvious omission in a former legislation or to explain a former legislation.

32. In "Commissioner of Income Tax (Central)-I, New Delhi v. Vatika Township Private Limited" (referred supra) the Apex Court held as follows:

"Let us sharpen the discussion a little more. We may note that under certain circumstances, a particular amendment can be treated as clarificatory or declaratory in nature. Such statutory provisions are labeled as "declaratory statutes". The circumstances under which a provision can be termed as "declaratory statutes" is explained by Justice G.P. Singh in the following manner: Declaratory statutes The presumption against retrospective operation is not applicable to declaratory statutes. As stated in CRAIES and approved by the Supreme Court: "For modern

purposes a declaratory Act may be defined as an Act to remove doubts existing as to the common law, or the meaning or effect of any statute. Such Acts are usually held to be retrospective. The usual reason for passing a declaratory Act is to set aside what Parliament deems to have been a judicial error, whether in the statement of the common law or in the interpretation of statutes. Usually, if not invariably, such an Act contains a preamble, and also the word 'declared' as well as the word 'enacted'. But the use of the words 'it is declared' is not conclusive that the Act is declaratory for these words may, at times, be used to introduced new rules of law and the Act in the latter case will only be amending the law and will not necessarily be retrospective. In determining, therefore, the nature of the Act, regard must be had to the substance rather than to the form. If a new Act is 'to explain' an earlier Act, it would be without object unless construed retrospective. An explanatory Act is generally passed to supply an obvious omission or to clear up doubts as to the meaning of the previous Act. It is well settled that if a statute is curative or merely declaratory of the previous law retrospective operation is generally intended. The language 'shall be deemed always to have meant' is declaratory, and is in plain terms retrospective. In the absence of clear words indicating that the amending Act is declaratory, it would not be so construed when the pre-amended provision was clear and unambiguous. An amending Act may be purely clarificatory to clear a meaning of a provision of the principal Act which was already implicit. A clarificatory amendment of this nature will have retrospective effect and, therefore, if the principal Act was existing law which the Constitution came into force, the amending Act also will be part of the existing law.

33. In "K.S.Paripoornan v. State of Kerala" [(1994) 5 SCC 593]" considered the scope of amendment and laid down certain guidelines to

be followed for interpretation of statute, which came into force during pendency of the proceedings. The benefit that accrued due to subsequent change of law available in all cases pending before the reference Court even though acquisition started in 1982, but this contention was not accepted by the Apex Court while holding that such provision cannot be given retrospective effect.

34. I submit that, in view of the law laid down by the Full Bench and Constitutional Bench of the Hon'ble Apex Court, when a part of the Act is repealed and substituted by another provision in the place of repealed provision, any right accrued will not be taken away by the amended provisions, unless the intention is clear that such retrospective effect is to be given.

35. I submit that, Act No.36 of 2023 was given prospective effect from 26.06.2023 and not prior to that. By the date of commencement of Act No.36 of 2023, the writ petition filed by these petitioners in W.P.No.9769 of 2010 is pending and interim order in WPMP No.12577 of 2010 dated 27.04.2010 is in force, and Respondent No.3 was permitted to evict the encroacher by following the procedure existing by then under Section 83 of the Principal Act. By taking advantage of the amendment to the Principal Act, substituting new Section 83 and Repeal of Sections 84, 85 & 86, Respondent No.3 issued Notice SVLNSD-CCOHC/30/2024

dated 24.11.2024 calling for an explanation in this regard, proposing to evict the petitioners by following the procedure prescribed under Section 83 of the Principal Act, as amended by Act 36 of 2023 and submit documentary evidence if any in support of the claim of the petitioners within seven days and in any case of failure to offer any explanation within the stipulated time or to vacate the scheduled premises, appropriate action will be taken as per the provisions of Section 83 of Act 36 of 2023.

36. I submit that, the petitioners have explained the pendency of the writ petition and existence of the interim orders, however, without considering the same in proper perspective, the 3rd respondent issued proceedings Order/SVLNSD-LG/J1/HC/30/2024 dated 13.12.2024 ordering eviction of these petitioners from the property with police assistance within fifteen days, with a threatened action to remove the encroachment. The order dated 13.12.2024 was passed only based on the amended provisions of Act 30 of 1987 by Act 36 of 2023, though amended provisions have no retrospective effect, since the operation is limited from 26.06.2023 as per Section 1 of Act 36 of 2023. Therefore, giving retrospective effect to Act 36 of 2023 and passing an order impugned in the writ petition is a serious illegality committed by Respondent No.3, circumventing the law. Therefore, the order passed by Respondent No.3 is in violation of principles of natural justice and in

violation of Section 83 of Principal Act and Articles 14 & 21 of the Constitution of India. On account of the order, in case, the petitioners are evicted forcibly with the assistance of police, they will be deprived of their livelihood. The interpretation of the 3rd respondent with regard to the passing of the interim order is illogic and against the spirit of the interim orders and the amended Act.

37. I submit that, the State cannot take possession of the property and such act would amount to breach of Fundamental Right guaranteed under Articles 21 and 300-A of the Constitution of India, besides violation of Articles 22 to 25 of Universal Declaration of Human Rights.

38. I submit that, Article 21 of the Constitution of India guarantees right to life. The right to life includes the right to livelihood. Time and again the Courts in India held that Article 21 is one of the great silences of the Constitution. The right to livelihood cannot be subjected to individual fancies of the persons in authority. The sweep of the right to life conferred by Article 21 is wide and far reaching. An important facet of that right is the right to livelihood, because no person can live without the means of living, that is, the means of livelihood. If the right to livelihood is not treated as a part of the constitutional right to life, the easiest way of depriving a person of his right to life would be to deprive him of his means of livelihood to the point of abrogation. Any person,

who is deprived of his right to livelihood except according to just and fair procedure established by law, can challenge the deprivation as offending the right to life conferred by Article 21 of the Constitution of India.

39. I submit that, the right to live with human dignity, free from exploitation is enshrined in Article 21 and derives its life breadth from the Directive Principles of State Policy and particularly Clauses (e) and (f) of Article 39 and Articles 41 and 42 and at least, therefore, it must include the right to live with human dignity.

40. In "*Delhi Transport Corporation Vs. D. T. C. Mazdoor Congress* [(1991)ILLJ395SC]", the Hon'ble Supreme Court while reiterating the principle observed that the right to life includes right to livelihood. The right to livelihood therefore cannot hang on to the fancies of individuals in authority. Income is the foundation of many fundamental rights. Fundamental rights can ill-afford to be consigned to the limbo of undefined premises and uncertain applications. That will be a mockery of them.

41. I submit that, Article 300-A of the Constitution of India, protects right of an individual, but such right in the property can be deprived of save by authority of law. The right to property is now considered to be

not only a constitutional or a statutory right, but also a human right. Though, it is not a basic feature of the constitution or a fundamental right, human rights are considered to be in realm of individual rights, such as the right to health, right to livelihood, right to shelter and employment etc. Now, human rights are gaining an even greater multi faceted dimension. The right to property is considered, very much to be a part of such new dimension (Vide: *Tukaram Kanna Joshi Vs. M.I.D.C.* [AIR 2013 SC 565]).

42. I submit that, passing an order of eviction treating the petitioners as encroachers as defined under Section 83, claiming that Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam was granted patta under Section 7 of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956, by adopting summary procedure without affording sufficient or reasonable opportunity to the petitioners for hearing and deciding its own title by the officer of the Temple/Respondent No.3 during pendency of W.P.No. 9769 of 2010 and interim order therein in W.P.M.P.No.12577 of 2010 by giving retrospective effect to Sec. 83 is unfair and illegal.

43. I submit that, when a similar situation came up before the Hon'ble Supreme Court in *Government of Andhra Pradesh vs. Tummala Krishna Rao* [AIR 1982 SC 1081], the Court held that the Government, in

summary proceedings, cannot unilaterally decide its own title over the property, and their remedy is only to approach the competent Civil Court seeking declaration of title

44. I submit that, in view of the law laid down by the Hon'ble Apex Court, more particularly, when these petitioners are in possession and enjoyment of the property for the last 64 years, i.e. since 1960 though the petitioners predecessors in title having purchased the same through valid sale deed and paying land revenue etc, they cannot be evicted, summarily as per newly added Section 83 of Transfer of Property Act. It is for the respondent/Temple to approach competent civil court or any Tribunal for eviction of such encroachers. Hence, applying the principle laid down in the above judgments, summary eviction of these petitioners by the officer of the respondent No.3 is totally unfair, irrational, illegal and violative of Articles 14, 21 and 300-A of the Constitution of India.

45. I submit that the 3rd respondent is going to take coercive steps to dispossess me and the other petitioners from the land taking advantage of the illegal order passed by the 3rd respondent himself. Therefore, I and the other petitioners approached this Hon'ble Court to protect our Fundamental Right guaranteed under Article 21 of the Constitution of India, questioning the arbitrary act of the 3rd respondent in evicting me and the other petitioners, circumventing the law giving retrospective

effect to the amended provisions of Act 30 of 1987 as amended by Act 36 of 2023. In case, I and the other petitioners are dispossessed by executing the order under challenge, it not only amounts to violation of Fundamental Right guaranteed under Article 21 of the Constitution of India besides Constitutional Right under Article 300-A, but also Human Rights guaranteed as per Universal Declaration of Human Rights, covenants, Civil and Political Rights. Giving retrospective effect to the amended provisions is nothing but arbitrary exercise of power as amended Act 36 of 2023 is applicable only with retrospective effect from 26.6.2023 when the amended provision of Act is limited to certain time, operation cannot be extended with retrospective effect to annul the orders passed by the Hon'ble High Court and to denude me and the other petitioners to protect our rights is nothing but arbitrary exercise of power by the 3rd respondent.

46. I further humbly submit that I and other petitioners have no other alternative and efficacious remedy except to approach this Hon'ble High Court under Article 226 of the Constitution of India for necessary relief. I have not filed any writ, suit, or any other proceedings in any Court praying for the same relief, except as stated above.

Main Relief

47. It is, therefore, prayed that this Hon'ble High Court may be pleased to issue appropriate writ, more particularly, one in the nature of

Writ of Mandamus declaring the order passed by the 3rd respondent in Order/SVLNSD-LG/J1/HC/30/2024 dated 13.12.2024 as illegal, arbitrary, violative of Article 14, 21 and 300-A of the Constitution of India besides violation of human rights guaranteed as per Universal Declaration of Human Rights, Covenants, Civil and Political Rights and set-aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Interim Relief:

48. It is further prayed that this Hon'ble Court may be pleased to suspend the order in Order/SVLNSD-LG/J1/HC/30/2024 Dated 13-12-2024 passed by the 3rd respondent, pending disposal of the writ petition and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Sworn and signed before me on
this the 31st day of January 2025

Deponent

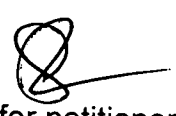
Attestor

-35-

VERIFICATION STATEMENT

I, Challa Vasantha, being the deponent herein, do hereby verify and declare that the above stated facts are true and correct to the best of my knowledge, information and basing on the material on record and as per legal advise.

Verified on this the ⁸¹31 day of January, 2025.



Counsel for petitioners

Deponent

EXP-1 -36-

**PROCEEDINGS U/S. 83(2) OF A.P. CHARITABLE & HINDU
RELIGIOUS INSTITUTIONS AND ENDOWMENTS ACT 30/87 (As
Amended Act 36/2023)**

Order/SVLNSD-LG/J1/HC/30/2024, Dt.13/12/2024

Between:

Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam,
Simhachalam, Visakhapatnam

.....Applicant

And

To

- 1) Challa Vasantha, W/o. Challa Suryanarayana
R/o. D.No.14-37-15/1,
Krishna Nagar, Maharani Peta, Collectorate Area,
Visakhapatnam District.
- 2) CVV Kumar, S/o. Late Challa Suryanarayana,
R/o. D.No.14-37-15/1,
Krishna Nagar, Maharani Peta, Collectorate Area,
Visakhapatnam District.
- 3) C. Sridevi, D/o. Late Challa Suryanarayana
R/o. D.No.14-37-15/1,
Krishna Nagar, Maharani Peta, Collectorate Area,
Visakhapatnam District.
- 4) C. Ramadevi, D/o. Late Challa Suryanarayana,
R/o. D.No.14-37-15/1,
Krishna Nagar, Maharani Peta, Collectorate Area,
Visakhapatnam District.

...Respondent

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~~That the Hon'ble High Court of A.P. in WP No.9769/2010 filed by the~~
above respondents challenging the auction notification of the lease hold
rights with respect to the land situated in Sy.No.181, Ac.3.40cts of
Vepagunta village, passed an order Dt.27.04.2010 in WPMP No.12577 /
2010 in WP No.9769/2010, wherein it is ordered that the petitioner shall
not be disposed of the property in question except after the petitioners are
evicted in accordance with Section 83 of AP Endowments Act 30/87.

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Following the orders of the Hon'ble High Court, this matter is taken on file as per section 83 (2) of A.P. Charitable and Hindu Religious Institutions and Endowments Act 30/1987 (As Amended Act 36/2023).

Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam, Simhachalam, Visakhapatnam is a Public Charitable Institution published U/Sec. 6(a)(ii) of A.P. Endowments Act 30/87. The administration and management of the temple is being governed by the provisions of the A.P. Endowments Act and the rules framed thereunder.

Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam, Simhachalam, Visakhapatnam District is the absolute owner of the property to a total extent of Ac.3.40cts in Sy.No.181 of Vepagunta village, Pendurthi Mandal, Visakhapatnam District. Already Ryotwari patta was granted U/s.7(1) of Inams Abolition Act in AIAC No.55/77(Inams), Dt.16.01.1997 in favour of Devasthanam for the entire extent of Ac.3.40cts in Sy.No.181 of Vepagunta village. The said property was also registered U/Sec. 43 of Act 30/87 and it was notified U/Sec. 22(A)(1)(C) of Registration Act clearly indicating that it is an endowed property.

As per section 46(3) it shall until contrary is established, be presumed that all particulars entered in the Register maintained under section 43 are genuine. The same was clearly held by the full bench of the Hon'ble High Court of A.P., in 'Vinjamuri Rajagopalachari Vs State of A.P.' (2016 ALT (Rev) 41(FB)).

While considering the case, as per the orders of the Hon'ble High Court of A.P. a show cause notice in SVLNSD-CCOHC/30/2024, Dt. 24.11.2024 was issued to them. As per the Postal Track Consignment No. RN567101407IN, the said notice was delivered on 27.11.2024 in spite of receiving the show cause notice no explanation/reply/objections were

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submitted till date. As per the Act, the respondent should submit their explanation within (7) days from the date of receipt of the notice. But even after completion of (14) days no reply is submitted. Hence, the material averments and documents filed in WP No.12577/2010 are taken into consideration as their objections to arrive at just conclusion.

The main averments made by above respondents in WP No.12577 / 2010 are that they are the absolute owners of the subject land to an extent Ac.3.40cts in Sy.No.181 of Vepagunta village, Pendurthi Mandal, Visakhapatnam District. The same was purchased by one Smt. Challa Perindevamma who is the mother-in-law of the 1st petitioner and paternal grandmother of the respondent No.2 to 4 through sale deeds in the year 1960 and are paying taxes to the Vepagunta Grampanchayat initially and now to the Greater Visakhapatnam Municipal Corporation. Subsequently the said Challa Perindevamma executed a will and bequeathed the said property in favour of the respondents Nos 2 to 4. After the demise of Smt. Challa Perindevamma, the said respondents 2 to 4 executed Special General Power of Attorney in favour of the 1st respondent, who is their mother to deal with the said property. But, it was admitted that the subject land was included in an order passed U/s.7 of Inams Abolition Act Dt.16.01.1997 in favour of Devasthanam.

The main contention of the respondents is that they have purchased the schedule property by way of Registered Deeds and are paying Taxes, to the Authorities is not tenable. Already Ryotwari patta was granted in favour of Devasthanam and the subject land was already registered U/s.43 and notified in the prohibited list U/s.22(A)(1)(C) of Registration Act.

SANCTITY OF RESPONDENTS SALE DEEDS:

The Registered deeds relied on by the respondents are void and unenforceable. As per section 81 of the A.P. Endowments Act, any sale,

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exchange of any immovable property belonging to any Religious Institution or endowment is effected without the prior sanction of the Commissioner, or Government such transaction shall beand void and shall be deemed never to have been affected and accordingly no right or title in such property shall vest in any person acquiring the property by such transaction and any such property shall be deemed to be the property of the institution or endowment concerned and any person in possession of such property shall be deemed to be an encroacher. Hence, the alleged documents areand void and the respondents who are relying on such documents shall not acquire any right or title over such property. The Division Bench of Hon'ble High Court of A.P. in **Secretary to Government, Revenue (Endts.) Dept. A.P. v Sri Swamy Ayyappa Co-op. Housing Societies Ltd., Hyderabad**, clearly held that all alienations affected prior to the Act 30/87 of properties belong to any charitable or religious Endowment or institution areand void from the clear legislative declaration by Section 81 of the Act 30/87. The Hon'ble High Court of A.P. in **Sri Swamy Hathiramjee Mutt, Tirupathi Vs. Komma Venkatamuni and others (2018 ALT (Rev.) 314)** following the rider laid down in Sri Swamy Ayyappa's case held that any Sale, Exchange or mortgage of - immovable properties belonging to any charitable or religious institution or endowment is effected without prior sanction of the Commissioner or Government, such transaction shall be deemed never to have been effected and accordingly no right or title in such property shall vest in any person. Hence, the alleged sale deeds relied on by the respondents will not confer any title whatsoever in their favour.

SANCTITY OF ENTRY IN SEC.43 STATUTORY REGISTER:

Already the said property is registered under section 43 of the A.P. Endowments Act. The full bench of the Hon'ble High Court of A.P. passed an order dt;23.12.2015 in **Vinjamuri Rajagopalachari Vs State of A.P. reported in 2016 ALT (Rev) 41 (FB)** that Section 43, 44 and 45 of the Endowments Act make in manifest that all properties owned by the

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institutions/ endowments required to be entered in the prescribed register and once any immovable property belonging to the endowments is entered in the prescribed register, such entry shall be presumed to be genuine until the contrary is proved. Therefore, once the property is entered in the register prescribed, it is prima facie proved that it is "Owned" by religious and charitable endowments. The aggrieved party in that event shall have to resort to a remedy that may be available under the Endowments Act. Following the above full bench judgment of the Hon'ble High Court of A.P. the Government issued a Memo No.482291/Endts- 2/2017 wherein orders were issued that "The above judgment once again reiterates that once the property is entered in Section 43 register (old Act Section 38/ 25 registers) of the Endowments Institution. It is prima facie proved that it is owned by Religious and Charitable Endowments. The aggrieved party in the event shall have to resort to a remedy that is available under the Endowments Act only". Also the Division Bench of Hon'ble High Court of A.P. in **Writ Appeal No.500 of 2012** clearly held that once the claim is made by the Religious Institution, the only Forum which can Adjudicate upon the dispute is the Endowments Tribunal and accordingly gave liberty to the petitioners to avail the said remedy under section 87 of the A.P. Endowments Act.

Now in the back drop of the above factual and legal aspects it is to be seen whether, the respondents are "**Encroachers**" as contemplated U/s.83 of Act 30/87 (as Amended Act 36/2023).

Definition of Encroacher under Section 83:-

Explanation: (i) For the purpose of this chapter 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**

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**approval of the competent authority sanctioning lease/
mortgage/ license or continued occupation of land buildings
or property after the expiry or cancellation of the lease,
mortgage or license or permission in respect thereof.**

- b. Enter into or create illegal tenancies or lease and license 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 own use and includes an attempt to encroach in the manner indicated above.**

This is the due process of law for eviction of unauthorized occupation from the Endowments lands. As the occupation of the above respondents is unauthorized and they are claiming right by illegal and void documents and admittedly by them, a Ryotwari patta was issued in favour of Devasthanam. But the respondents did not challenge the Ryotwari patta issued in favour of Devasthanam at any point of time. Hence the occupation of the respondents is unauthorized. The actions of the above respondents are detrimental to the interests of the Devasthanam. Hence, they squarely come within the definition of "encroacher" as mentioned above and they are liable to be evicted from the schedule property.

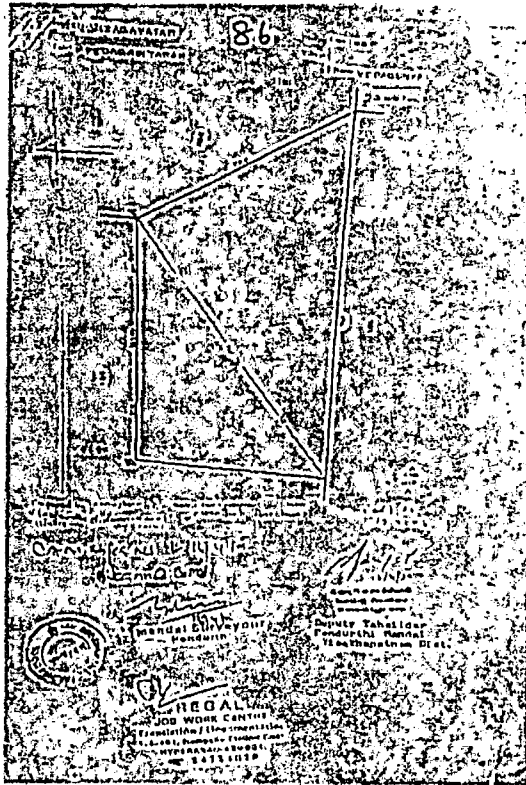
Therefore, in view of the above facts and circumstance of the case of the above respondents are ordered to vacate the schedule property within 15 days failing which the encroachment shall be removed by securing the Police Assistance.

Hence, the orders of the Honorable High Court complied with.

SCHEDULE OF PROPERTY

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An extent of Ac.3.40cts in Sy.No.181 of Vepagunta village, Pendurthi Mandal, Visakhapatnam District (TOPE) as per the below sketch filed by you in WP No.9769/2010.



Vendra Trinadharao
Executive Officer

(43)

(44)

Copy of Document No 2600 of 1960

వసతి 22.8.60 నం 8537 న 20.00 వ గాని నమూనా కింద దం దా పేరు పెంచు

వసతి 22.8.60 నం 8538 న 20.00 వ గాని నమూనా కింద దం దా పేరు పెంచు

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3 వ కార్యక్రమం 2 వ భాగం 1 వ భాగం

మొత్తం 3 వ భాగం 1 వ భాగం

కాన్ఫరెన్స్ 2 వ భాగం 1 వ భాగం

పరిశీలన 2 వ భాగం 1 వ భాగం

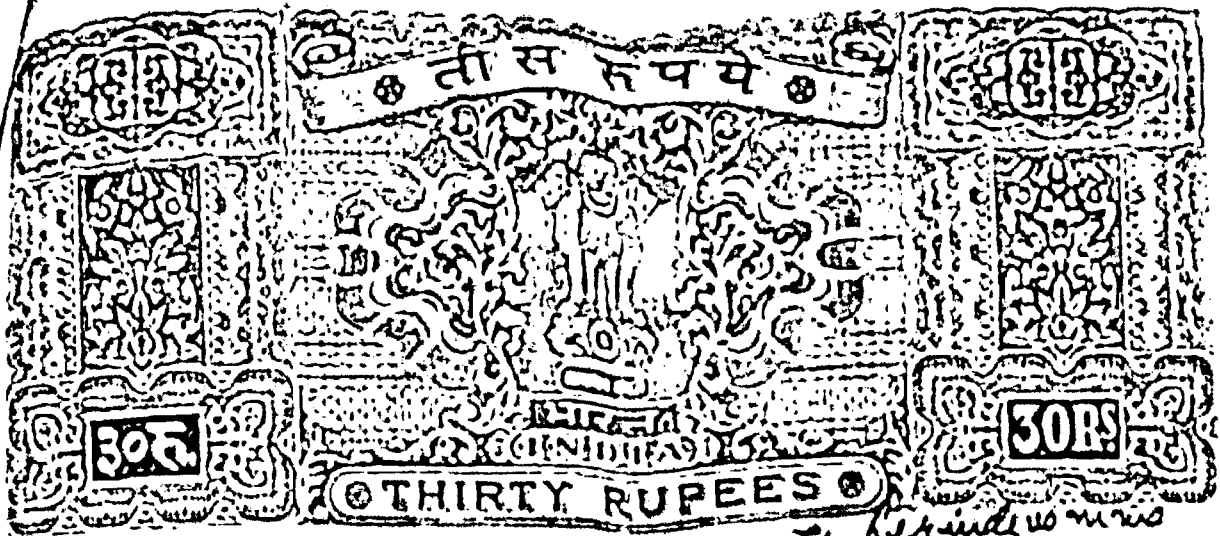
మొత్తం 3 వ భాగం 1 వ భాగం

8. 11. 1960

29.12.60

2 వ భాగం 1 వ భాగం





2. 11-5249276 3-10-83 11-20-83
by Lt. PH M.V. Rao, 12
MVR

the business was

Survey and Settlement - Register of the Village of Uppul
Gultha in the Pedagudi Thann Vizianagaram Samasthanam
உப்பு குல்தா ஸ்தானம் பீடகுடி தான் விஜயநகரம் சமஸ்தானம்
பதிவு நெடுவரைப் புத்தகம்

Sl. No.	Particulars	Date	Amount		Total	Balance
			To	By		
1	By Balance b/d		100.00		100.00	
2	To Cash	10/10/20		50.00		50.00
3	By Cash	15/10/20	50.00			100.00
4	To Cash	20/10/20		20.00		80.00
5	By Cash	25/10/20	80.00			160.00
6	To Cash	30/10/20		10.00		150.00
7	By Cash	5/11/20	150.00			300.00
8	To Cash	10/11/20		5.00		295.00
9	By Cash	15/11/20	295.00			590.00
10	To Cash	20/11/20		10.00		580.00
11	By Cash	25/11/20	580.00			1160.00
12	To Cash	30/11/20		5.00		1155.00
13	By Cash	5/12/20	1155.00			2310.00
14	To Cash	10/12/20		10.00		2300.00
15	By Cash	15/12/20	2300.00			4600.00
16	To Cash	20/12/20		5.00		4595.00
17	By Cash	25/12/20	4595.00			9190.00
18	To Cash	30/12/20		10.00		9180.00
19	By Cash	5/1/21	9180.00			18360.00
20	To Cash	10/1/21		5.00		18355.00
21	By Cash	15/1/21	18355.00			36710.00
22	To Cash	20/1/21		10.00		36700.00
23	By Cash	25/1/21	36700.00			73400.00
24	To Cash	30/1/21		5.00		73395.00
25	By Cash	5/2/21	73395.00			146790.00
26	To Cash	10/2/21		10.00		146780.00
27	By Cash	15/2/21	146780.00			293560.00
28	To Cash	20/2/21		5.00		293555.00
29	By Cash	25/2/21	293555.00			587110.00
30	To Cash	30/2/21		10.00		587100.00
31	By Cash	5/3/21	587100.00			1174200.00
32	To Cash	10/3/21		5.00		1174195.00
33	By Cash	15/3/21	1174195.00			2348390.00
34	To Cash	20/3/21		10.00		2348380.00
35	By Cash	25/3/21	2348380.00			4696760.00
36	To Cash	30/3/21		5.00		4696755.00
37	By Cash	5/4/21	4696755.00			9393510.00
38	To Cash	10/4/21		10.00		9393500.00
39	By Cash	15/4/21	9393500.00			18787000.00
40	To Cash	20/4/21		5.00		18786995.00
41	By Cash	25/4/21	18786995.00			37573990.00
42	To Cash	30/4/21		10.00		37573980.00
43	By Cash	5/5/21	37573980.00			75147960.00
44	To Cash	10/5/21		5.00		75147955.00
45	By Cash	15/5/21	75147955.00			150295910.00
46	To Cash	20/5/21		10.00		150295900.00
47	By Cash	25/5/21	150295900.00			300591800.00
48	To Cash	30/5/21		5.00		300591795.00
49	By Cash	5/6/21	300591795.00			601183590.00
50	To Cash	10/6/21		10.00		601183580.00
51	By Cash	15/6/21	601183580.00			1202367160.00
52	To Cash	20/6/21		5.00		1202367155.00
53	By Cash	25/6/21	1202367155.00			2404734310.00
54	To Cash	30/6/21		10.00		2404734300.00
55	By Cash	5/7/21	2404734300.00			4809468600.00
56	To Cash	10/7/21		5.00		4809468595.00
57	By Cash	15/7/21	4809468595.00			9618937190.00
58	To Cash	20/7/21		10.00		9618937180.00
59	By Cash	25/7/21	9618937180.00			19237874360.00
60	To Cash	30/7/21		5.00		19237874355.00
61	By Cash	5/8/21	19237874355.00			38475748710.00
62	To Cash	10/8/21		10.00		38475748700.00
63	By Cash	15/8/21	38475748700.00			76951497400.00
64	To Cash	20/8/21		5.00		76951497395.00
65	By Cash	25/8/21	76951497395.00			153902994790.00
66	To Cash	30/8/21		10.00		153902994780.00
67	By Cash	5/9/21	153902994780.00			307805989560.00
68	To Cash	10/9/21		5.00		307805989555.00
69	By Cash	15/9/21	307805989555.00			615611979110.00
70	To Cash	20/9/21		10.00		615611979100.00
71	By Cash	25/9/21	615611979100.00			1231223958200.00
72	To Cash	30/9/21		5.00		1231223958195.00
73	By Cash	5/10/21	1231223958195.00			2462447916390.00
74	To Cash	10/10/21		10.00		2462447916380.00
75	By Cash	15/10/21	2462447916380.00			4924895832760.00
76	To Cash	20/10/21		5.00		4924895832755.00
77	By Cash	25/10/21	4924895832755.00			9849791665510.00
78	To Cash	30/10/21		10.00		9849791665500.00
79	By Cash	5/11/21	9849791665500.00			19699583331000.00
80	To Cash	10/11/21		5.00		19699583330995.00
81	By Cash	15/11/21	19699583330995.00			39399166661990.00
82	To Cash	20/11/21		10.00		39399166661980.00
83	By Cash	25/11/21	39399166661980.00			78798333323960.00
84	To Cash	30/11/21		5.00		78798333323955.00
85	By Cash	5/12/21	78798333323955.00			157596666647910.00
86	To Cash	10/12/21		10.00		157596666647900.00
87	By Cash	15/12/21	157596666647900.00			315193333295800.00
88	To Cash	20/12/21		5.00		315193333295795.00
89	By Cash	25/12/21	315193333295795.00			630386666591590.00
90	To Cash	30/12/21		10.00		630386666591580.00
91	By Cash	5/1/22	630386666591580.00			1260773333183160.00
92	To Cash	10/1/22		5.00		1260773333183155.00
93	By Cash	15/1/22	1260773333183155.00			2521546666366310.00
94	To Cash	20/1/22		10.00		2521546666366300.00
95	By Cash	25/1/22	2521546666366300.00			5043093332732600.00
96	To Cash	30/1/22		5.00		5043093332732595.00
97	By Cash	5/2/22	5043093332732595.00			10086186665465190.00
98	To Cash	10/2/22		10.00		10086186665465180.00
99	By Cash	15/2/22	10086186665465180.00			20172373330930360.00
100	To Cash	20/2/22		5.00		20172373330930355.00
101	By Cash	25/2/22	20172373330930355.00			40344746661860710.00
102	To Cash	30/2/22		10.00		40344746661860700.00
103	By Cash	5/3/22	40344746661860700.00			80689493323721400.00
104	To Cash	10/3/22		5.00		80689493323721395.00
105	By Cash	15/3/22	80689493323721395.00			161378986647442790.00
106	To Cash	20/3/22		10.00		161378986647442780.00
107	By Cash	25/3/22	161378986647442780.00			322757973294885560.00
108	To Cash	30/3/22		5.00		322757973294885555.00
109	By Cash	5/4/22	322757973294885555.00			645515946589771110.00
110	To Cash	10/4/22		10.00		645515946589771100.00
111	By Cash	15/4/22	645515946589771100.00			1291031893179542200.00
112	To Cash	20/4/22		5.00		1291031893179542195.00
113	By Cash	25/4/22	1291031893179542195.00			2582063786359084390.00
114	To Cash	30/4/22		10.00		2582063786359084380.00
115	By Cash	5/5/22	2582063786359084380.00			5164127572718168760.00
116	To Cash	10/5/22		5.00		5164127572718168755.00
117	By Cash	15/5/22	5164127572718168755.00			10328255145436337510.00
118	To Cash	20/5/22		10.00		10328255145436337500.00
119	By Cash	25/5/22	10328255145436337500.00			20656510290872675000.00
120	To Cash	30/5/22		5.00		20656510290872674995.00
121	By Cash	5/6/22	20656510290872674995.00			41313020581745349990.00
122	To Cash	10/6/22		10.00		41313020581745349980.00
123	By Cash	15/6/22	41313020581745349980.00			82626041163490699960.00
124	To Cash	20/6/22		5.00		82626041163490699955.00
125	By Cash	25/6/22	82626041163490699955.00			165252082326981399910.00
126	To Cash	30/6/22		10.00		165252082326981399900.00
127	By Cash	5/7/22	165252082326981399900.00			330504164653962799800.00
128	To Cash	10/7/22		5.00		330504164653962799795.00
129	By Cash	15/7/22	330504164653962799795.00			661008329307925599590.00
130	To Cash	20/7/22		10.00		661008329307925599580.00
131	By Cash	25/7/22	661008329307925599580.00			1322016658615851199160.00
132	To Cash	30/7/22		5.00		1322016658615851199155.00
133	By Cash	5/8/22	1322016658615851199155.00			2644033317231702398310.00
134	To Cash	10/8/22		10.00		2644033317231702398300.00
135	By Cash	15/8/22	2644033317231702398300.00			5288066634463404796600.00
136	To Cash	20/8/22		5.00		5288066634463404796595.00
137	By Cash	25/8/22	5288066634463404796595.00			10576133268926809593190.00
138	To Cash	30/8/22		10.00		10576133268926809593180.00
139	By Cash	5/9/22	10576133268926809593180.00			21152266537853619186360.00
140	To Cash	10/9/22		5.00		21152266537853619186355.00
141	By Cash	15/9/22	21152266537853619186355.00			42304533075707238372710.00
142	To Cash	20/9/22		10.00		42304533075707238372700.00
143	By Cash	25/9/22	42304533075707238372700.00			84609066151414476745400.00
144	To Cash	30/9/22		5.00		84609066151414476745395.00
145	By Cash	5/10/22	84609066151414476745395.00			169218132302828953490790.00
146	To Cash	10/10/22		10.00		169218132302828953490780.00
147	By Cash	15/10/22	169218132302828953490780.00			338436264605657906981560.00
148	To Cash	20/10/22		5.00		338436264605657906981555.00
149	By Cash	25/10/22	338436264605657906981555.00			676872529211315813963110.00
150	To Cash	30/10/22		10.00		676872529211315813963100.00
151	By Cash	5/11/22	676872529211315813963100.00			1353745058422631627926200.00
152	To Cash	10/11/22		5.00		1353745058422631627926195.00
153	By Cash	15/11/22	1353745058422631627926195.00			2707490116845263255852390.00
154	To Cash	20/11/22		10.00		2707490116845263255852380.00
155	By Cash	25/11/22	2707490116845263255852380.00			5414980233690526511704760.00
156	To Cash	30/11/22		5.00		5414980233690526511704755.00
157	By Cash	5/12/22	5414980233690526511704755.00			10829960467381053023409510.00
158	To Cash	10/12/22		10.00		10829960467381053023409500.00
159	By Cash	15/12/22	10829960467381053023409500.00			21659920934762106046819000.00
160	To Cash	20/12/22		5.00		21659920934762106046818995.00
161	By Cash	25/12/22	21659920934762106046818995.00			43319841869524212093637990.00
162	To Cash	30/12/22		10.00		43319841869524212093637980.00
163	By Cash	5/1/23	43319			

1st page corrections (thru) 3

CS CamScanner

TRANSLATION FROM TELUGU VERSION

48

COPY OF DOCUMENT NO.2600 OF 1960

DOCUMENT FOR Rs.1,000/-

EXECUTED ON : 22nd August, 1960

VENDEE : Smt.Perindevamma w/o Challa Veera Venkateshwar Rao
Brahmin, Ward: Maharani-pota Basti Visakhapatnam.

VENDORS: E.Somaraju S/o Late Venkataiah, Occ:Business,
Caste : Vaisya,

No.1 sons (2) Sanyasayya (3) Satyanarayana Murthi, Minors
Ss/o Somaraju

All R/o Adavivaram Village, Visakhapatnam.

all together executed this document as detailed in 3rd para.

This is free from all encumbrances and having full rights
over the property, it was in my possession. We have not
made any kind of transaction for the schedule property
(Mortgage etc.). This property is not meant for agriculture,

and it is in distant place, and there is no income source

on it, since you want to purchase the schedule property,

and received the full sale consideration and handedover

the possession to you today itself. Now onwards you have

to pay govt.tax and mutate your name in Revenue records.

Till date there is no dues standing on the schedule property.

This property is free from all encumbrances. In future

if any disputes arises, it is my responsibility to clear

them with my cost, and handover the peaceful possession

to you.

...2.



REGAL
JOB WORK CENTRE
Translation / Documentation
1-4-461, Nampally Station Road
HYDERABAD-500 001.
24734030

(49)

The Schedule property details :

Visakhapatnam Sub divn. Area Visakhapatnam Tq.

Chopagunta Village, T.No.35 R.O.patta Sy.No.

181 R Visakhapatnam to Simhachalam Road, North,

Ext.Ac.3.40 cents (Three acres forty cents) with
trees, bounded by ;

East : Kuchipudi Satyanarayana & others
Mango trees.

South : Visakhapatnam to Simhachalam Road

West : Kuchipudi Satyanarayana and others
Mango trees.

North : -do-

-do-

in between the said boundaries, the land sold to you.

WITNESSES:

1.Sd/-Potnuru Ramakrishnaiah

2.Sd/-Landa Suru Naidu

Doc.Writer:

Nambala Sanyasayya

~~xxxxxx8528x~~

Sd/-Dasari Somaraju

Sd/-E.Sanyasayya

Sd/-Satyanarayana Murthi

on behalf of Minors, ~~his~~ their
natural guardian/father

Sd/- Dasari Somaraju

Rs.20/- Sri Dasari Somaraju, Stamp No.8536

Simhachalam K.Peraiah, Vendor, VSP, Dt.22.8.60

Rs.20/- No.8537,

-do-

Rs.20/- No.8538

-do-

Rs.20/- No.8539

-do-

Four stamp papers worth Rs.80/- (Rupees eighty only)



Sd/-
Joint Sub Registrar
with Round seal.

~~xxxxxx~~

REGAL
JOB WORK CENTRE
Translation / Documentation
4-661, Nampally Station Road
HYDERABAD-500 001.
T 24734030

విలువ

[illegible][illegible]

శ్రీ గృహిణిం దేవకు

4
7

10.11.19... 20.11.19... 20.11.19... 20.11.19...
 10.11.19... 20.11.19... 20.11.19... 20.11.19...
 10.11.19... 20.11.19... 20.11.19... 20.11.19...

[illegible]

వ్యాసయ్య పుట్టు చచ్చుచున్నాడో
ఎదిమి టటనవేయి

ಪ್ರಾಂತ್ಯೀಕರಣ ಕಾರ್ಯದ ಸ್ವರೂಪದ ಬಗ್ಗೆ
14-137/15// M.R. Peta U&A-2

ఎరూవంచినతి

M/S Krayana S/O Somanna Business N.P.

1. గా.కు.ల 8% గు.చ.లు. ఎ.క. 50 వ. 28

19. 3. 2023
19. 3. 2023

1) காண்க வகை-ஒடிப்பு-98.

1. 3 వత్తకం 180 వార్తలు 39.0
 2. 1 వత్తకం 10 73 50 50
 3. 1 వత్తకం 10 73 50 50
 4. 1 వత్తకం 10 73 50 50
 5. 1 వత్తకం 10 73 50 50
 6. 1 వత్తకం 10 73 50 50
 7. 1 వత్తకం 10 73 50 50
 8. 1 వత్తకం 10 73 50 50
 9. 1 వత్తకం 10 73 50 50
 10. 1 వత్తకం 10 73 50 50

Date _____
 ಕಾರ್ಯದ ವರದಿ ಸ್ವೀಕೃತ:



సదయమెతయు మాను ఎకరము లు 40వలె

ట్లు గుండు లో తొట్టెప్ప నెట్లు తొనహగల సెకయె
కరము 40 సెట్లు గుండు నిలిందవి ప్రక్షముల చ సహ
నారందవకు ముందు (కొడు) పొల్ల సూర్య సాచి యదా యె
కొకు ముందు 111111 పొల్ల వారెంక బెగ్గరకు ముందు
కొమ్మ మర్రి భాగము సెకయెకరము గుండు ప్రక్షము
లితా సహా నారందవకు ముందు (కొడు) పొల్ల సూర్య
సాచి యెట్లె రందవకు ముందు 111111 పొల్ల రము దొరసాచి
కొమ్మ పై ముఖా గము నగల సెకయెకరము గుం
డు ప్రక్షముల చ సహ నారందవకు ముందు (కొడు)
పొల్ల సూర్య సాచి యదా యెక పొల్లకు ముందు 111111 శ్రీ
కృష్ణ శ్రీ శ్రీ నా తదానంతరము సర్వ హత్తులతో ను
నందవ కెము గుండు ముందు మెనరు కొత్త నవారి ప
తు పుట్టె పొల్ల సూర్య సాచి యెకరము సనదు గుండు నిలిందవి
ల సాచి యెకరము పొల్ల సూర్య సాచి 111111 పొల్ల వారెంక
చెగ్గరకు ముందు 111111 పొల్ల శ్రీ శ్రీ 111111 పొల్ల రము దొర
సాచి యెకరము నర్దుకొత్త నవారి తల్లి శ్రీమతి పొల్ల
చ సంత వారి అస్త్ర వ్రవరే రము లు ముందు వరెను.

నా బంగారు నగలు దెంకి సాము ను 1111

3) పొల్ల తొర పొల్ల రము దొర లకు చెందవకెను మిగతా వాస్తా
శ్రీమతి కరణి సామగ్రి తింతయు పొల్ల వసంతకు
14 వ పంతి తొన సమము

పొల్ల పరింకొకము

54

శ్రీమద్భగవద్గీత

30-6-1993

Serial - పాపా 2 విజ్ఞానము .
 30-6-1993

55

Will Deed

This deed was executed on 12th April, 1993 by Perindevamma, W/o Late Challa Veera Venkateswara Rao, aged about 80 years, R/o D.No.14-37-15/1, Maharanipeta, Ghokare Road, Visakhapatnam-530002. The deed was executed by me with free consent and full knowledge and without consideration.

I had two sons and two daughters namely Challa Venkata Ramanaiah, Challa Surya Narayana, Seshanamba, W/o Prathapa Subramanyam, Rama Lakshmi, W/o Gandikota Sri Rama Rao. Marriages were performed to my children. My younger son and his wife are looking after me and taking care of me. On 7th December 1989 my younger son namely Surya Narayana died, leaving behind his wife Vasanta. After death of my younger son Vasanta is taking care of me.

Schedule

Visakhapatnam District - Vepagunta Gram Panchayat - Vepagunta Village - Zeroity patta with No.35 - has an extent of Ac.3.40 cents.

In That total extent of the land is Ac.3.40 cents. The eastern side of an extent of land of Ac.1.40 cents should be devolved on Challa Veera Venkateswara Rao, S/o Late Challa Surya Narayana, who is the second son to me. The center part of the land of an extent of Ac.1.00 cents should be devolved on Challa Rama Devi Savitri, D/o Late Challa Surya Narayana, who is the second son to me. The western part of the land of an extent of Ac.1.00 cents should be devolved on Sri Devi, D/o Late Challa Surya Narayana, who is the second son to me.

Sd/-

Challa Peramdevamma

Witnesses:-

1

2

EXP-6

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14A

శ్రీ వరహాలక్ష్మీస్వస్తిసంహస్యమివారి దేవస్థానం-సింహచలం-విశాఖపట్నం జిల్లా

అర్.సె. నెం. సి3/925/2010, తేది. 21-03-2010



బహిరంగ వేలము ప్రకటన

శ్రీ వరహాలక్ష్మీస్వస్తిసంహస్యమివారి దేవస్థానమునకు చెందిన ఈ దిగువ తెలిపిన వస్తువులకు బహిరంగ వేలము
తే.29.03.2010 న కొండ దిగువన దేవస్థానం కార్యాలయం వద్ద గల ఇంజనీరింగ్ విభాగము (రుక్మిణి కళ్యాణ మండపము)
ప్రాంగణములో ఉదయం గం|| 11:00 లకు జరుపబడును. వేలములో పాల్గొనువారు విధిగా సదరు వాక్కులకు ఎదురుగా నూరించిన
సామ్య ధరావత్తుగా చెల్లించి పాల్గొనవలెను. వేలములో పాల్గొనువారు దిగిపోయి జల్లుగోషాకార్య ఫోటో మరియు అడ్రస్ ప్రాఫైట్ గలవి
జతపరచవలెను.

క్ర. సం.	బహిరంగ వేలము ద్వారా లెసన్ వాక్కునకు	ధరావత్తు	పాలెస్టు
1	శ్రీ స్వామివారి స్వర్ణచిత్ర భక్తులు ప్రదర్శించిన కొత్త రేఖలు, నెత్తం పలములు, పాలు, అభాధాన తేనెకొను లైసన్ వాక్కు ఒక సంవత్సర కాలమునకు, కొండ మీద గల ఉపాయములలో కలిపి (3వ పేలుపు)	రూ 1,00,000/-	హచ్చ పాల మొత్తమునకు
2	శ్రీ సింహచలం దేవస్థానమునకు చెందిన విశాఖపట్నమునకు చెందిన ప్రఖ్యాత కళ్యాణ మండపము ముందు మొదటిభాగమునందు బాహ్యము మరియు వివిధ పంక్తిన సమయమునందు లైటింగ్ మరియు సప్లయర్ల సామగ్రిని ఒక సంవత్సర కాలమునకు లైసన్ వాక్కు పొందుటకు (3వ పేలుపు)	రూ 50,000/-	హచ్చ పాల మొత్తమునకు
3	పెదముప్పేడ వద్ద గ్రామ సర్వేనెం.211 తోనె 59-99సంఖ్య భూమి నందు గల బీడి చెట్ల ఫలసాయమును 8/31/07/2010 వరకు అనుభవించు లైసన్ వాక్కునకు (2వ పేలుపు)	రూ 2,000/-	హచ్చ పాల మొత్తమునకు
4	కొండ దిగువ సింహచలం దేవస్థానము నకు చెందిన జయ శాస్త్ర సెం.2 మరియు 4, పురూరవ సత్రము నందు గల శాస్త్ర సెం.27, 29/32, 34, 36 శాస్త్రాల యందు వ్యాపారము చేసుకొను లైసన్ వాక్కునకు ఒక సంవత్సర కాలమునకు (2వ పేలుపు)	రూ 10,000/- ఒక్కోక్క శాస్త్రమునకు	హచ్చ పాల మొత్తమునకు
5	కొండదిగువ బైరవపాక నందు అమృత కలశాలు, దీపపు భూమిద (వత్తి, నూనెతో సహా) విక్రయించుటకు మరియు భక్తులు ప్రదర్శించిన కొత్త రేఖలు అభాధాన తేనెకొను లైసన్ వాక్కునకు (4వ పేలుపు) తే. 04/2010 నుండి తే. 04/2011 వరకు (ఒక సంవత్సర కాలం)	రూ 10,000/-	హచ్చ పాల మొత్తమునకు
6	సింహచలం దేవస్థానానికి చెందిన కొండదిగువ శ్రీ ప్రిడిట్ లై అమ్మవారి గుడికి పంపించింది రామపాగం నందు సర్వే నెం.189 తో గల ఎం 0.7C పని మరియు సర్వే నెం.191/27 తో గల ఎం 0.20 పని, వ్యవసాయ భూమిలో వ్యవసాయం చేసుకొను లైసన్ వాక్కునకు (సంవత్సర కాలపరిమితి మూడేండ్లు) (4వ పేలుపు)	రూ 5,000/-	హచ్చ పాల మొత్తమునకు
7	శ్రీ స్వామివారి ముండి నందు భక్తులు సమర్పించిన వచ్చిన MP3 Player with Digital Camera తీసుకొనిపోవుటకు (4వ పేలుపు)	రూ 300/-	హచ్చ పాల మొత్తమునకు
8	శ్రీ స్వామివారి ముండి నందు భక్తులు సమర్పించిన వచ్చిన ఈ క్రింది వలెన్న తీసుకొనిపోవుటకు 1. Citizen Watch - 1 No. 2. Anchor Battery Watch - 1 No. (4వ పేలుపు)	రూ 100/-	హచ్చ పాల మొత్తమునకు
9	O.A.No.40/2008 ద్వారా స్వాధీనపరచుకొన్న వెంకటేశ్వరం ఏర్పేరు, అడవివరం గ్రామమునకు చెందిన సర్వే నెం.275 తో గల దుర్గానగర్ రోడ్డు తూర్పు భాగమున కొండపాలలో గల 12 ఎకరముల విస్తీర్ణములో గల 25 సెం. మామిడి చెట్ల ఫలసాయం అనుభవించు లైసన్ వాక్కు 2010 నెం సీజన్కు మూడేండ్లు (2వ పేలుపు)	ఎకరమునకు రూ 100/-	హచ్చ పాల మొత్తమునకు
10	శ్రీ స్వామివారికి చెందిన కొండపైన సర్వే నెం.275 నందు గల పాలరాయి ఎం 7.48సెం జడి కోట ఫలసాయం అనుభవించు లైసన్ వాక్కు 2010 నుండి 2012 సీజనుకు మూడేండ్లు (2వ పేలుపు)	రూ 100/-	హచ్చ పాల మొత్తమునకు
11	శ్రీ స్వామివారికి చెందిన కొండపైన సర్వే నెం.275 నందు గల ప్రస్తుతం స్వామివారికి చెంది గతములో ఎమ్.ఎస్.సి. వారికి కేటాయించినది 17.00 ఎకరాల జడి కోట ఫలసాయం అనుభవించు లైసన్ వాక్కు 2010 నుండి 2012 సీజనుకు మూడేండ్లు (2వ పేలుపు)	రూ 100/-	హచ్చ పాల మొత్తమునకు
12	కొండ దిగువ పుచ్చులిడి సత్రమునకు ఇత్తర భాగమున వచ్చిన గదులు సెయిన్ 1 మరియు 2 ల యందు వ్యాపారం చేసుకొను లైసన్ వాక్కునకు (ఒక సంవత్సర కాలమునకు)	రూ 3,000/-	హచ్చ పాల మొత్తమునకు
13	కొండ దిగువ శ్రీ స్వామివారి వరాహ పుష్కరిణి (కోవేడు) వద్ద అమృత కలశ ఒడ్డున, ధూళి/... లు మరియు దీపపు ప్రభుత్వ (వత్తి, నూనెతో) ఒడ్డున భూమి, అను విక్రయించుటకు లైసన్ వాక్కునకు (ఒక సంవత్సర కాలపరిమితి)	రూ 5,000/-	హచ్చ పాల మొత్తమునకు
14	మాధవదార నందు (1) బండెల పనస, (2) పుష్పకోట మరియు (3) లోవకోట గల యందు గల చెట్ల ఫలసాయం అనుభవించు లైసన్ వాక్కునకు తే.01.07.2010 నుండి 30.06.2013 వరకు మూడు సంవత్సరముల కాలమునకు	రూ 5,000/-	హచ్చ పాల మొత్తమునకు
15	మాధవదార నందు పుచ్చేపేదార, చిన్నకుదార, కల్లకొండ యందు గల చెట్ల ఫలసాయం అనుభవించు లైసన్ వాక్కునకు తే.01.07.2010 నుండి 30.06.2013 వరకు మూడు సంవత్సరముల కాలమునకు	రూ 5,000/-	హచ్చ పాల మొత్తమునకు
16	మాధవదార నందు బంగారురాజు ప్రతి, దిబ్బలిక, బంగారురాజు ప్రతి, శివభాగవతం యందు గల చెట్ల ఫలసాయం అనుభవించు లైసన్ వాక్కునకు తే.01.07.2010 నుండి 30.06.2013 వరకు మూడు సంవత్సరముల కాలమునకు	రూ 5,000/-	హచ్చ పాల మొత్తమునకు
17	మాధవదార నందు గల బిల్వప్రసాదం, మాధవప్రసాదం, మహాప్రసాదం, పరిసరగల ప్రతి యందు గల చెట్ల ఫలసాయం అనుభవించు లైసన్ వాక్కునకు తే.01.07.2010 నుండి 30.06.2013 వరకు మూడు సంవత్సరముల కాలమునకు	రూ 5,000/-	హచ్చ పాల మొత్తమునకు

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18	మాడవదార నందు గల నిచ్చిన దొడ్డి, పెదదొడ్డి యందు గల చెట్ల ఫలసాయం అనుభవించు లైసెన్సు హక్కునకు తే.01.07.2010 నుండి 30.06.2013 వరకు మూడు సంవత్సరముల కాలమునకు	రూ॥ 5,000/-	హెచ్చుపాట మొత్తమునకు																																												
19	కొండదిగువ తీసేడు వద్ద కూరలకోటలో గల కొబ్బరిచెట్లు, వరాహ పుష్పిరిడీ గట్టు పై గల కొబ్బరి చెట్ల ఫలసాయం అనుభవించు లైసెన్సు హక్కు మూడు సంవత్సరముల కాలమునకు	రూ॥ 5,000/-	హెచ్చుపాట మొత్తమునకు																																												
20	శ్రీ స్వామివారి కొండపైన దేవాలయం శ్మశానం నందు మరియు అన్నదానం విభాగం నందు గల బాళి మాసె, నెయ్యి మరియు జీడిపప్పు డబ్బాలు ప్రస్తుతం వున్నవి తీసుకొనిపోవుటకు	రూ॥ 5,000/-	హెచ్చుపాట మొత్తమునకు																																												
21	దేవస్థానం కానిబరీ విభాగం నందు గల 5 లీ॥ హియిలీ, 10 లీ॥ సహాయిలీ మరియు 20 లీ॥ యాసిడి బాళి డబ్బాలు మరియు పగిలిపోయిన ప్లాస్టిక్ డబ్బులన్నీ తీసుకొనిపోవుటకు	రూ॥ 5,000/-	హెచ్చుపాట మొత్తమునకు																																												
22	కొండ పైన అన్నదానం విభాగం నందు గల పాత సిల్వర్ బక్సెట్లు, పాత స్టేలు కంచాలు, పాత స్టేలు డబ్బాలు, పాత యినుప గ్యాస్ పాయిలు, 25 కేజీల ప్లాస్టిక్ గోను సంచులు, 50 కేజీల గోను సంచులు వున్నవి వున్నట్లుగా తీసుకొనిపోవుటకు	రూ॥ 5,000/-	హెచ్చుపాట మొత్తమునకు																																												
23	దేవస్థానము కార్యాలయం నందు గల పాత న్యూస్ పేపర్లు వున్నవి వున్నట్లుగా తీసుకొనిపోవుటకు	రూ॥ 200/-																																													
24	ఈ ద్వారా ఉద్ఘాటించిన టేబుల యందు చెట్ల ఫలసాయం 25 సంవత్సర కాలమునకు 10 సంవత్సరం సీజను మూలము (30.06.2010 వరకు) అనుభవించు హక్కును	రూ॥ 5,000/- తొల 25 సంవత్సరం	హెచ్చుపాట మొత్తమునకు																																												
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26	గోకాలకు తప్పదు సప్తయి చేయుటకు కేజీ 15 రేటు కొనుగోన (4వ ఏటపు)	రూ॥ 5,000/-																																													
27	గోకాల యందు ఆవులకు చీత్త చేయుటకు రిటైర్డ్ వెటర్నరీ ఆఫీసులకుగా పంపిణీయుటకు (4వ ఏటపు)	సత																																													
28	సంహారం దేవస్థానము నందు అర్ఘ్యదానమునకు, దేవాలయమునకు రోజు పాటు సప్త చేయుటకు (3వ ఏటపు)	రూ॥ 1,000/-																																													

గమనిక :

- పైన తెలిపిన చట్టములకు ప్రత్యేకించి వేలం పరతులు గలవు. సంహారం కొండదిగువ కార్యాలయం పనివేలం యందు తీజేన్ విభాగములో అడిగి తెలుసుకొనవచ్చును.
- పైన తెలిపిన 25 నుండి 28 వ నెం. చట్టములు చిందరుద్వారా నిర్వహించబడును. ఈ చిందరుకు పైన తెలిపిన ధరావత్తు నిమిత్తము ఏదైనా జాతీయ భాగం ద్వారా డి.డి. తీసి చిందరు పెద్దాబులో పాటు చిందరు వేయవలెను. సరకు చిందరునకు పెద్దాబులు నిమిత్తం రూ॥ 100/- లు దేవస్థానం విభాగం నందు ఏదైనా ఏడాది లెక్క పడిన జాతీయ భాగం ద్వారా తీసిన డి.డి. విధరభావనకు చలవేసి తే.25-03-2010 నుండి తే.27-03-2010 వరకు ఎచ్చెస్సు కరకు ధరపాపులు పెద్దాబులు పెద్దాబులు, చిందరు పెద్దాబులు తే.25-03-2010 నాటికి సాయంత్రం గంట 00 ల వరకు సాంధ్యం. సరకు చిందరును తే.29-03-2010 న సాయంత్రం గంట 4.00 ల తర్వాత దేవస్థానమునకు నిర్దేశించి చిందరుబాక్సు నందు చిందరు వేయవలెను. సాయంత్రం గంట 4.00 నిాలు దాటిన తర్వాత వచ్చిన చిందరు పరిగణనలోనికి తీసుకొనబడవు. సరకు చిందరు చోటు కాలిన చిందరుదారుల సమక్షంలో అదేరోజు సాయంత్రం గంట 5.00 లకు తెరవబడును. చిందరు దేనికి పేయమెంట్ సరకు చిందరు పేరును సీల్ కవరు పై విధిగా నూరించవలెను.

సం/.. సి.ప్రేమ్ కుమార్
కార్యనిర్వహణాధికారి

శ్రీ స్వామివారి స్వల్ప పుష్కల్య సేవ కోసం
శ్రీ స్వామివారి నిత్య అన్నదానం మరియు గోసంహారం పరమములకు బలాములు సమర్పించండి
శ్రీ స్వామివారి కృపకు పాత్రులు కండి

(58) 12 16

SRI VARAHALAKSHMI NARASIMHASWAMI VARI
DEVASTHANAM-SIMHACHALAM- VISAKHAPATNAM - DISTRICT.

R.C.No. C3/926/2010 dt.21-03-2010

NOTICE OF PUBLIC AUCTION

The below mentioned licence rights relating to Sri Varahalakshmi Narasimha Swamy Vari Devasthanam will be put to tender-cum-public auction on 29-03-2010 at 11 A.M. in the Engineering Wing of the Devasthanam Office (Rukmini Kalyana Mandapam) The prospective bidders shall pay the EMD shown against the respective items. They should submit telephone bill/ration card/photo and proof of address along with their bids.

Sl.No. Public Auction of license rights of EMD Solvency

Xxx

Xxx

Xxxx

24. The usufruct of the below mentioned trees in gardens will be leased out for a period of one year (30-06-2010). 5000/- for the each highest bid garden.

4. Vapagunta (V) Sy.No.181 Mango Trees: 94
Tamrind: 1

License rights of usufruct of trees situate near Simhachalam RR to Gopalpatnam Road (ie.North Side) leading to Sri Venkateswara Swamy Vari Devasthanam.

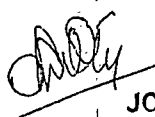
Xxx

Xxx.

Note:

- There are special conditions of auction. The same may be obtained from the lease wing of the Devasthanam office.
- Item Nos. 24 to 27 will be allotted by tenders. The EMD shall be paid by way of DDs from any nationalized bank. Tender schedules may be obtained by paying Rs.100/- through DD or treasury challan between 1.4.2010 and 5.4.2010 Application for tenders will be issued till 4.00 pm. on 5.4.2010 The tenders will have to be dropped into the tender box kept at Devasthanam office before 4.00 pm. of 6.4.2010, tenders received after 11.00 am. will not be considered. On the evening of the same day tenders will be opened in the presence of the tenders. The details of the tender shall be mentioned on the sealed cover.

Sd/-x



REGAL True translation of relevent portion//

JOB WORK CENTRE
Translation / Documentation
6-4-461, Nampally Station Road
HYDERABAD-500 001.
24724029

EXP-5

(59)

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

W.P.No. 9769 of 2010

Between:

1. C.V.V. Kumar S/o Late Suryanarayana,
Aged 27 years, R/o 14-37-15/1, Maharanieta,
Visakhapatnam
- 2) C. Sridevi D/o Late Suryanarayana, aged 24 yrs.,
R/o 14-37-15/1, Maharanieta, Visakhapatnam
- 3) C. Rama Devi D/o Late Suryanarayana,
Aged 21 years, R/o 14-37-15/1, Maharanieta,
Visakhapatnam

All are represented by their mother and
Special Power of Attorney Holder
C. Vasantha W/o Late Suryanarayana,
Aged 49 years, R/o 14-37/15/1, Gokhale Road,
Maharanieta, Visakhapatnam

... Petitioners

AND

1. The Government of Andhra Pradesh represented
by its Principal Secretary, Endowments Dept.,
Secretariat Buildings, Hyderabad.
2. Sri Varaha Lakshmi Narasimha Swamy vari
Devasthanam, Simhachalam, Visakhapatnam Dist.
Represented by its Executive Officer.
3. K.V.N. Murthy, Reporter,
Vijayabhanu News paper, Simhachalam Branch,
Visakhapatnam District.

... Respondents

AFFIDAVIT

I, C.Vasantha W/o Late Suryanarayana, aged 49 years, R/o 14-37-15/1, Gokhale Road, Maharanieta, Visakhapatnam, having temporarily come down to Hyderabad, do hereby solemnly affirm and state on oath as follows:-

1st Page

Corrs

Attestor

C. Vasantha
Deponent

1. I am the mother and the Special Power of Attorney Holder of the Petitioners and as such I am well acquainted with the facts of this case.
2. At the outset, I respectfully submit that the above writ petition is filed being aggrieved by the action of the 2nd respondent in issuing an auction notification vide under Rc. No: C3/926/2010 dated 21.3.2010 for the leasehold rights of the usufruct of the trees that are situated on private land belonging to the petitioners and in their khas possession and enjoyment since 1960, unilaterally treating the same as land belonging to the 2nd respondent
3. I respectfully submit that I am the mother of the petitioners herein and daughter-in-law of one Challa Perindevamma. My mother-in-law Smt.C.Perindevamma is the absolute owner and possessor of an extent of AC. 3.40 cents of land situated in Sy. No. 181, P.No. 35 of Vepagunta village, Chinagadili Mandal, Visakhapatnam District having purchased the same under a registered sale deed dated 22.8.1960. She purchased the said land from Dasari people. It is a zeroiyathi land. After purchasing the said land she raised a garden on the said land. The said garden is consisting of various fruit bearing trees which include teak trees, tamarind, mango, sapota etc. She being the absolute owner of the said land used to pay taxes to the Vepagunta Gram Panchayat initially and now to the Greater Visakhapatnam Municipal Corporation. The revenue authorities having knew that it is a zeroiyathi land in an inam land and never included in the inam lands of Sri Varaha Laxmi Narasimha vari Devasthanam did not include in the enquiry conducted u/sec 3 (3) of I.A. Act, 1956. The order of the M.R.O. Pendurthi,

2nd page,
Corrections.

Attester

C. Varanatha
Deponent

dated 30.04.1989 omitted the same for consideration of the said lands for grant of patta in favour of the Devasthanam. However during the course of time the authorities of Devasthanam could see the same is included in the order of the M.R.O., subsequently in an order passed under Sec.7 of the I.A. Act dated 16.1.1997. Though the M.R.O. passed the said order without any notice to my mother in law did not take steps to take possession of the same. During the year 1998 when there was a heavy cyclone and the teak trees were fallen, my mother-in-law when requested the Gram Panchayat for taking away the said fallen trees a certificate styling it as route permit was issued on 11.12.1998.

4. I submit that my mother in law executed a registered will and bequeathed the said property in favour of my children i.e. her grand children, the petitioners herein. The petitioners herein executed Special General Power of Attorney in my favour to deal with the said property on their behalf before the High Court of Andhra Pradesh, Hyderabad. As matters stood thus, my mother-in-law ^{died} dead during the year 2000.

5. I submit that the letter correspondence made by my mother-in-law with the 2nd respondent during her life time and also by me subsequent to her death categorically discloses that we have been in khas possession and enjoyment of the land in Sy. No. 181 of an extent of Ac. 3.40 cents where we constructed a small house and raised a garden categorically discloses our possession and enjoyment. The 2nd respondent though issued an auction notification dated 21.3.2010 and 30.03.2010 due to resistance of the people claiming possession and title to various items of lands as shown in the said

3rd page,
Corrections.

Attestor

C. Vasanthan,
Depoent

notifications virtually did not proceed with the process of auction. I further submit that some of the owners of the said lands also appears to have been instituted writ petitions before this Hon'ble Court and obtained interim directions.

6. I submit that the 2nd Respondent Devasthanam with a view to harass the persons in possession of the said lots of land resorted to creation of certain documents as if the auction ^{took} place. I submit that the usufruct present in our garden ^{is} virtually is of an amount of more than Rs. 45,000/- to Rs. 50,000/-. But the 2nd respondent with a view to harass us send its men along with the 3rd respondent as if the auction took place and his bid was accepted for an amount of Rs. 2,600/- and given him right to take away the usufruct in our garden. In the event of taking away the usufruct, we will be put to great hardship and difficulty. Unless the Hon'ble Court restrain the Respondents by issuing necessary directions not to interfere with our possession of the usufruct we will be put to great loss. Hence this writ petition.

7. I respectfully submit that Vepagunta is an Inam village that was notified under the provisions of the A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (hereinafter referred to as "the Inams Abolition Act") Survey and Settlement operations have not been conducted after coming into force of the Inams Abolition Act and no notices have been issued either to me or any predecessors-in-title under the provisions of the Inams Abolition Act, particularly under Section 3. The lands situated in Sy. No. 181 of Vepagunta village is classified as "Zeroyati"

4th page,
Corrections.

Attester.

C. Vasanthan
Deponent

in the Survey and Settlement Register ("Gilman Register") of the year 1903, which is an authentic official record prepared under the provisions of the Madras Survey and Boundaries Act, 1897. The land in question is not shown as "Inam" in the Gilman Register. The Survey & Settlement authorities who conducted the survey and settlement operations and prepared the said record in the year 1903, took great pains to clearly indicate the classification of the land so as to clearly show which land had been endowed in favour of the temple and thereby classified only the endowed land as "Inam". This expression clearly shows that the land in question is not Inam land and that it was not endowed in favour of the temple by the land holder. "Zeroyati" means the proprietor's private lands, which are cultivable and such land does not form part of the grant of Inam in favour of the temple. The presence of private lands in Inam Villages in the Anchra Area is not an uncommon phenomena and the land in question is one such example. The said private land cannot be claimed by the temple, to be a grant in its favour, when the Survey & Settlement Register prepared in 1903 shows that the land is "Zeroyati" and not "Inam". The concept and existence of private lands in Inam Estates and in Inam Villages is recognised under the provisions of A.P. (A.A.) Estates Land Act, 1908 and the same is distinguishable from ryoti land, as defined in the said statute. The Survey & Settlement Register (Gilman Register) is of greatest significance and importance for the purpose of testing and establishing whether or not a particular extent of land was covered by the grant of Inam in favour of the temple. When the said record does not show the land in question as Inam, the temple cannot claim ryotwari patta in respect of the same. The names of my predecessors-in-

5th page,
Corrections.

Attestor

C. Vasanthan
Deponent

title, namely Dasari people has been shown as the pattadar of the said land in Column No. 8 of the Gilman Register, indicating that he was in possession of the said land in the year 1903 itself.

8. I respectfully submit that the Village Account No.10 (1) also shows the land in Sy. No. 181, comprising an extent of 340 cents and the name of Dasari Venkayya is shown as the owner of the land.

9. I am advised to submit that the Hon'ble High Court of Madras in Dadamudy Tatayya and others Vs. Kelachina Venkatasubbaraya Sastri (AIR 1928 Madras 786), while considering the expression "Zeroyati" with reference to the lands in Vurru Zamindari of Krishna District held that the word "Zeroyati" may mean cultivable or arable land and it may also mean assessable or assessed land as opposed to inam land. As such, the 2nd respondent cannot claim the "Zeroyati" land in question could belong to it.

10. I respectfully submit that the land in question is "Zeroyati", that was expressly excluded from the grant of inam by the Zamindar and was the proprietor's private land and as such the 2nd respondent has no manner of claim over the same. To the best of my knowledge, no ryotwari patta had been granted in its favour. Even assuming, without conceding, that a ryotwari patta had been granted under the provisions of the Inams Abolition Act, the same would not confer any title on the 2nd respondent, in as much as the land in question is not "Inam" land.

11. I respectfully submit that the land in question has been in my exclusive enjoyment and possession since the year 1982 and prior to this, it

6th page,
Corrections.

Attator

C. Varanath
Deponent.

was enjoyment and possession of my predecessors-in-title, a fact which is reflected in the Gilman Register of the year 1903 and in the subsequent registered documents, from the year 1931.

12. I submit that on 1.4.2010, I was perplexed to be informed that the 2nd respondent had published a notification in Rc. No: C3/926/2010 dated 21.03.2010 in the Vijaya Bhanu Telugu Daily, relating to the public auction of the lease hold rights of the usufruct of the fruit bearing trees situated over the land in Sy. No. 181 which is private land, belonging to me. This notification amounts to be a virtual unilateral declaration by the 2nd respondent that the private land in question, belongs to the 2nd respondent, which is totally unjustified. No notice of any nature has been issued to me by the 2nd respondent and on 20.04.2010, the temple officials trespassed over my land and conducted an inspection. As a matter of fact, in the said notification my land has been described as Sy. No. 181 at Sl. No. 24 (4).

13. I submit that the land has been in occupation of private individuals, since time immemorial and there are records showing such occupation and ownership since the year 1903. The action of the 2nd respondent in unilaterally treated it as its own land, is illegal, arbitrary in violation to the principles of natural justice, as also in violation of Article 300-A of the Constitution of India.

14. I submit that the petitioners have no other alternative and effective remedy except to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India. I have not filed any writ or other proceedings seeking the relief as sought for in this writ petition.

9th page,
Corrections.

Attester

C. Varantha
Deponent

15. It is therefore prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the 2nd respondent's auction notification in Rc.No. C3/926/2010 dated 30.03.2010 in so far as it relates to the petitioners land situated in Sy. No. 181 Ac. 3.40 cents in P.No. 35 of Vepagunta village and the subsequent record created as if the auction was held in favour of the 3rd respondent for a paltry amount of Rs. 2,600/- as illegal, arbitrary, in violation of the Principles of natural justice as also in violation of Article 300-A of the Constitution of India and consequently set aside the same and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

16. It is further prayed that this Hon'ble Court may be pleased to grant interim injunction restraining the respondents 2 & 3 and their men and agents with a specific direction not to interfere with the usufruct in the garden situated in Sy. No. 181, P.No.35 of Vepagunta village within Greater Visakhapatnam Municipal Corporation in the interests of justice and pass any other order or orders as are deem fit and proper in the circumstances of the case.

17. It is further prayed that this Hon'ble Court may be pleased to stay all and further proceedings in relation to the 2nd Respondent's auction notification in Rc. No. C3/926/2010 dated 21.3.2010 in so far it relates to the petitioners land situated in Sy.No. 181 of Vepagunta village, Visakhapatnam District (shown at Sl. No. 24(4)), pending disposal of the above writ petition

8th page
Corrections.

Attester.

C. Varanatha
Deponent

- 67 -

and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

C. Vasantha.
DEPONENT

Solemnly affirmed and signed
on this 25th day of April, 2010
at Hyderabad.

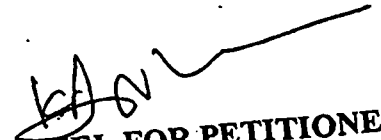
Before me

Advocate / Hyderabad

VERIFICATION

I, C. Vasantha W/o Late Suryanarayana, aged 49 years, R/o 14-37-15/1, Gokhale Road, Maharanipecta, Visakahpatnam being the Petitioner herein acquainted with the facts do hereby verify and state the contents of Paras (1) to (13) are true and correct to my knowledge based on information and they are believed to be true and correct.

Verified at Hyderabad on this 25th
x day of April, 2010


COUNSEL FOR PETITIONER

C. Vasantha.
DEPONENT

EXP-6-68

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
TUESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TEN

:PRESENT:
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.M.P NO: 12577 of 2010
IN
W.P.NO: 9769 of 2010

Between:

1. C.V.V. Kumar, S/o. Late Suryanarayana, R/o. 14-37-15/1, Maharanipecta, Visakhapatnam.
2. C. Sridevi, D/o. Late Suryanarayana, R/o. 14-37-15/1, Maharanipecta, Visakhapatnam.
3. C. Rama Devi, D/o. Late Suryanarayana, R/o. 14-37-15/1, Maharanipecta, Visakhapatnam.

All are represented by their mother and Special Power of Attorney Holder
C. Vasantha, W/o. Late Suryanarayana, Aged 49 years, R/o. 14-37/15/1,
Gokhale Road, Maharanipecta, Visakhapatnam.

..... Petitioners
(Petitioner in WP.No : 9769 of 2010
on the file of High Court)

AND

1. The Government of Andhra Pradesh represented by its Principal Secretary, Endowments Dept., Secretariat Buildings, Hyderabad.
2. Sri Varaha Lakshmi Narasimha Swamy vari Devasthanam, Simhachalam, Visakhapatnam Dist. Represented by its Executive Officer.
3. K.V.N. Murthy, Reporter, Vijayabhanu News paper, Simhachalam Branch, Visakhapatnam.

..... Respondents
(Respondents in -do-)

Counsel for the Petitioner: SRI K.A. NARASIMHAM

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

Counsel for the Respondent No.2: SRI V. VENUGOPALA RAO

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in the writ petition the High Court may be pleased to stay all and further proceedings in relation to the 2nd respondent's auction notification in Rc.No. C3/926/2010 dated 21.3.2010 in so far it relates to the petitioners land situated in Sy.No. 181 of Vepagunta Vilalge, Visakhapatnam District (Shown at Sl.No. 24 (4)). pending disposal of the writ petition No.9769 of 2010 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

Pending further orders, petitioners shall not be dispossessed of the property in question nor shall the usufruct be removed except after the petitioners are evicted in accordance with Sec.83 of Act 30/87.

Sd/- S.RAVINDRANATH TAGOR
ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Principal Secretary, Endowments Department, Government of Andhra Pradesh., Secretariat Buildings, Hyderabad.
2. The Executive Officer, Sri Varaha Lakshmi Narasimha Swamy vari Devasthanam, Simhachalam, Visakhapatnam District.

5. ... 1777

Tahna, Vizianagram Samasthanam.

గ్రామముతాలగాకు సర్వే శేటిల్ మెంట్ రిజస్టరు.

P7 69

உயர்த்திப் படி: மு.க.க.யு
தமிழ் பத்திரிகை: வந்த.

TAHSILDAR
Pondurthi Mandal
Visakhapatnam Dt

70

TRANSLATION FROM ORIGINAL SETTLEMENT REGISTER, VIZAG DISTRICT (AMARAVATI)
 TELUGU VERSION.

Sy.No. & Lr.	Jirayati or Inam	Dry, Wet or porambok	Source of Irrigation	Extent	Rate per Acre	Assess- ment.	No. and name of pattadar or name of Inamdar or the manager of the institution to which the land belongs and the No. of the Inam title deed, if any. (8)	REMARKS (9)
1.	2.	3.	4.	5.	6.	7.		
173	1	Inam	Dry	Ac. 9.70 C.	2.00	19.6	Varamganti Rangacharyulu, Kovela Narasimha Charyulu Thota Krishnamma	
	2	"	"	0.20	2.00	0.6	-do-	
	3	"	"	0.40	2.00	0.18	-do-	
	4	"	pallam	Ramasagaram Gedda 6.92	7.00	48.7	-do-	
				2.62	2.00	5.4	28 Thota Bangaraiah	
174	Jirayati	Dry		0.55	2.00	1.2		Banjaru
175	"	"		3.80	2.00	7.10	28 Thota Bangaraiah	
176	"	"		4.34	3.00	13.00	27 Balireddy Kannaya	
177	"	"		4.95				Vagu
178	--	porambok		1.35	2.00	2.11	49 Nunna Krishnamacharyulu	Kammi
179	Jirayati	Dry		4.36	2.00	9.12		Banjaru
180	"	"		3.40	2.00	0.13	36 Dasari Venkaya	Road
181	"	"		1.20				
182		porambok		0.82				Road
183		"						

RIA 108/08/B/Dt. .7.2008
 Prepared by : MJDL
 No Corrections.

Sd/-Tahsildar,
 pendurthi Mandal
 Vizag District.



LEGAL
 JOB WORK CENTRE
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 24734030

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EXP-8

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AL/AC/52/70HA Dt. 30-4-89.

Office of the Mandal
Revenue Officer,
Pendurthi.

PRESENT : Sri A. Appa Rao.

Order u/s. 3(3) of the Andhra Pradesh Inams (Abolition and conversion into Rytwari) Act, 1956.

The then Inam Deputy Tahsildar, Visakhapatnam conducted sub-moto enquiry under section 3 of the Act XXXVII of 1956 in respect of the three Inam Villages situated within the limits of Pendurthi Revenue Mandal inclusive of Vepagunta village covered by the present proceedings. The enquiry was conducted in 1977, The village was decided as whole Inam village recognized as such under T.D.No. 3145 in favour of Simhachalam Devasthanam. The special Deputy Tahsildar issued decision u/s 3(3) of the Act that all the wastelands and porambokes, vest in the Government free from all encumbrances and all the rest of the land which comprise cultivable area vest in Sihachalam Devasthanam. Aggrieved by the orders, the Devasthanam Authorities filed an appeal before the Revenue Divisional Officer, Visakhapatnam and the appellate authority remanded the matter for fresh enquiry after obtaining Survey Records.

The then Inam Deputy Tahsildar commenced fresh enquiry in 1982 by issue notice in Form 3 to the Devasthanam, At this stage to the Devasthanam authorities filed W.P. NO.7269/82 before the honourable High Court and stalled the proceedings before the Inam Deputy Tahsildar by way of obtaining stay orders from the honourable High Court/ In that context the Collector obtained injunction orders from the honourable High Court restraining the petitioner Devasthanam from alienating any part of disputed lands pending disposal of the writ petitions. Finally the Honourable High Court in its common judgment dated : 15-4-87 in W.A. NO.874 of 1982 and W.P.NO.7599, 7586 and 7640 of 1982 was leased to observe that the cause in these petitions and the writ appeal does not survive for considerations and hence closed the writ appeal and writ petition pending before the

High Court with a direction that enquires under A.P. (K & C.R) Act XXXVIII of 1956 if it is pending may go on.

When enquiry under section G was again taken up, the Devasthanam authorities did not choose the end the litigations and raised objection that resurvey of the lands is a pre-requisite to decide the character of the different chunks of land as on 20-6-1975 i.e, the date on which section 2 A of the Act was interested as per Amendment Act No 1 of 20-6-1975. In fact fresh survey cannot be taken up until the decision u/s 3(3) of the Act becomes final and duly published in the gazette. The survey notification u/s 5 of the S & B Act cannot be issued until the said decision becomes final..

With unending litigation between Devasthanam and the Revenue Department of the Government, land grabbing by third parties has become orders of the day and either party would sustain loss of valuable land and neither would get a smooth take over the land from the squatlers who are nearly trying to settle on the land with permanent structures. In view of these developments the Devasthanam authorities have been requested to file written statements to expedite the enquiry u/s 3(3) of the act to finalize the issue without loss of further time. The Devasthanam authorities have filed a written statement duly enclosing the lists of lands in which they have got interest consequent on the agreements etc., undertaken by Devasthanam long back.

In pursuance of an enquiry conducted u/s 3(3) of the Inam abolition and conversion into Ryothwari Act 37/1956 it was held that the lands situated in the village of Vepagunta are Inam lands situated in inam villages belonging to the institution of Sri Varaha Lakshminarasimha Swamy Devasthanam, Sihachalam, Visakhapatnam.

U/S 4 of the inams abolition act, the land situate in inam villages that Inam lands either in jeriothi or Inam village the religious institution will be entitled to Rythwari patta but after the amendment of the inams abolition and inclusion of section 2 A the waste lands communal Poraaambokes, hills and hill ranges will

vest in the Government . The village was originally surveyed in 1903 subsequently several changes have been made in the land registers. The village was not resurveyed to determine the lands which will vest in the government u/s 2 A but detailed list of waste lands and porambokes have been prepared by the Devasthanam considering the position as on the date of 20-06-1975.

Accordingly the executive officer Sri Varaha Laxminarasimha Swamy Devasthanam filed by written statement through his counsel on 4-3-1989 along with a statement of all lands in Vepagunta (village) showing the character of different Survey filed as on 20-06-1975 got prepared by the Devasthanam Surveyors. I have examines the statement and satisfied my self after personal inspection with reference to the available survey records that the description is correct as far as human capacities of the judgment of past event admits. IN S.No. 75 which is Hill Poramboke although there are some occupations by way of buildings etc., since there is no cultivable land and that the nature of land attracts the provisions of section 2(a) of the act under section 3(3) of the act, I here decide that all the lands in the appended "A" schedule vest in the Government free of all encroachments under section 2(a) of the I.A.Act, and that the land listed out in 'B' schedule vest to the petitioner Devasthanam. I therefore hold that the Devasthanam is entitled for Rythwari patta for all these land, listed out in B schedule. However Rythwari pattas have to be issued in respect of Minor INam lands after conducting an enquiry as required under the provisions of the Act.

These proceedings are issued u/s 3(3) of the Inams abolition act 56.

Sd/x-x-x-x-x
MANDAL REVENUE OFFICER,
PENDURTHI

// true copy //

EXP 9

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OFFICE OF THE MANDAL REVENUE OFFICER : HYDERABAD

PRESENT : Y. RAMAMOohana RAO

A.I.A.C.NO. 52/77 (INAMS) DATED : 16-01-1997.

ORDER U/S 7 (1) OF I.A. ACT 1956.

This is an enquiry taken up on the application filed Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam Simhachalam represented by its Regional Joint Commissioner and Executive Officer, for the grant of a ryotwari patta in respect of the petition scheduled lands of Vepagunta Inam village in Pendurthi Mandal of Visakhapatnam District.

We Requisite notice in Form V was served on the petitioner and get it published as per rules. The case was posted to 31-12-96 at 11-00 A.M. in the office of the Mandal Revenue Officer, Pendurthi Mandal.

The representative of the Devasthanam was attend on dt. 31-12-96 and filed a memo requesting one weeks time representing the matter. The case was finally adjourned to 9-1-1997 and informed the parties. On 9-1-1997 the petition was called absent an no rival claims were received in this matter.

The enquiry u/s 3(1) was conducted and the dec.u/s 3(3) was got published in Form -II in the District Gazette as per rules. IN the above decision it was declared that the Sri Varaha Laxmi Narasimha Swamy Vari Dvasthanam of Simhachalam.

The petitioner, the executive officer, Sri Varaha Laxmi Narasimha Swamy Vari Dvasthanam claimd Rytowari patta in respect of an extent of Ac. 603-16 cts. Registered as Zero Net and Dry and n extent of Ac. 640-22 cts. Registered as waste and poramboke lands as per the pre-abolition records maintained by the

estate authorities. They have not filed any documentary evidence in support of their claim. They have also not furnished the details of names and extents of the cultivating tenants from who they are collecting the cists to declare them as tenants u/s 8 of I.A. Act 56.

I have perused the old estate record available in the office. The village Vepagunta was surveyed under soil Bolock Survey system during Estate regime i.e. during the 'A' Register prepared by the Vizianagaram Estate which are used to be maintained by the Estate authorities which shows the holding - wise details of Zeroyti lands. The Devasthanam claimed an extent of Ac. 603-16 cts. Of land which was shown in V.A.No. 10(1) which are under the enjoyment of the ryots as noted therein. The Inamdar, Devasthanam failed to furnish the names and addresses of the present tenants as recognized by them for purposes of declaring as tenants having rights of tenancy u/s 8 of the Act. The remaining extent of Ac. 640-22 cts. Claimed by the Devasthanam was already decided by my predecessor and passed orders u/s 7(1) in the proceedings in A.I.A.No. 52/77 dt. 29-5-96. Hence the claim of the Inamdar in respect of this extent need not be extent of Ac. 603-16 cts. Registered as Wet and Dry as per Old V.A.No. 10(1).

As seen from the entries of diglot register, 'A' register and V.A.No. 10(1) maintained by the Estate authorities the scheduled lands have been in cultivation of the ryots noted in V.A.No. 10(1) maintained by the estate authorities the scheduled lands have been in V.A.No. 10(1) and the lands are ryoti by raising Wet and Dry crops and topes as on the date when the I.A. Act '56 came into force. The Village Vepagunta is an Inam village. The lands noted in the schedule to this are held by the Insituation Viz. Sri Varah Lakshmi Narasimha Swamy vari Devasthanam. In view of the evidence discussed above the petitioner, Sri Varaha Laxmi Narasimha Swamy Vari Dvasthanam. In view of the evidence discussed above the petitioner, Sri Varaha Laxmi Narasimha Swamy Vari Dvasthanam who is the Inamdar is entitled, to a ryotwari patta u/s 7(1) of the I.A. Act '56 in respect

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of the schedule lands measuring Ac. 378-10 cts. Out of 603-16 claimed by the Inamdar. For the remaining extent of Ac. 225-06 cts. Enquiry U/S 7(1) was already conducted by my predecessor and allowed their claim in A.I.A.C.No.52/77 dt. 29-5-96. The Devasthanam shall be liable to pay the ryotwari assessment to the lands. A rotwari patta will be issued for the scheduled lands. The names of the tents to be in occupation as on 7-1-41948 or on the date of commencement of the Act u/s 8 of the said Act will be decided after the Inamdar furnishes the details and after the survey operations are completed .

A revision against this order lies to the Revenue Court within 60days from the date of this order.

Sd/-X-X-X-X-
MANDAL REVENUE OFFICER,
PENDURTHI.

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EXP-10

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ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 5] AMARAVATI, MONDAY, 26th JUNE, 2023.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 23rd June, 2023 is being published under Article 348(3) of the Constitution of India for general information:-

ANDHRA PRADESH ORDINANCE No. 5 OF 2023.

Promulgated by the Governor in the Seventy - Fourth Year of the Republic of the India.

**AN ORDINANCE FURTHER TO AMEND THE ANDHRA PRADESH
CHARITABLE AND HINDU RELIGIOUS INSTITUTIONS AND
ENDOWMENTS ACT, 1987.**

Whereas, the monetary limits prescribed for classification of Institutions under the Section 6 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No.30/1987), were fixed in the year 2007 through an amendment Act No.33/2007. In view of the changes in the annual income receipts by templets over a period of time, it has become necessary to enable the Government to periodically revise the lower and upper limits of the income specified in each of the classifications provided for under Section 6.

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And whereas, according to Section 83 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, if after the completion of the lease /license period, the tenant continues to be in possession of the land, such licensee / tenant will be treated as an encroacher. As such the Executive Authorities have to approach the Endowments Tribunal to remove such licensee / tenant from the Endowment institution lands, shops, etc., Keeping these provision in view, Rules were framed in G.O.Ms.No.426, Revenue (Endowments) Department dt. 09.11.2015 for removal of encroachers. The Hon'ble High Court, by its judgement dt. 4.7.2018 in WP Nos. 34361, 39013 and 39151/ 2016 struck down the said Rule holding that such Rules to be ultra vires the Act. The High Court further held that howsoever laudable the Rule may be, it cannot get sanctity unless the Act has been amended suitably. The statutory enablement in this regard is necessitated and accordingly provisions are proposed in the present amendment to expedite removal of encroachments from the property of the religious/ charitable or endowment institutions with checks and safeguards. It is also proposed to make the encroachment of endowment institutions lands as cognizable, non-bailable and triable offence as a warrant case.

And whereas, the Sections 84, 85 and 86 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act prescribes the procedure to be followed while removal of encroachments and group encroachments. In view of the comprehensive amendment by way of substitution of Section 83, there is no necessity for sections 84, 85 and 86. Accordingly, it is decided to omit the Sections 84, 85 & 86.

And whereas, Section 93 of the Act prescribes that while considering the records and passing orders under the said Section, the Government shall not pass any order prejudicial to any party unless he has an opportunity of making his representation. While passing urgent interim orders, it is not practicable to hear the other party. Due to the existing provisions under the Act, such interim orders passed by the Government are liable to be struck down by the Courts. Accordingly, it is decided to amend the proviso of sub-section (1) of Section 93 of the Act suitably.

And whereas, as per present Section 94 of the Act, the Government cannot review any order passed under any mistake, whether of fact or of law, or in ignorance of any material fact, except in case of orders passed under section 93.

And whereas, in the W.P.Nos.984 of 2007 dt. 11.10.2007 and 2345 of 2007 dt. 02.05.2018, the Hon'ble High Court has categorically held as follows:

"A plain reading of section 94 of the Act shows that the order passed by the Government in exercise of the revisional powers under section 93 of the Act alone is amenable for review. The power of review provided under section 94 of the Act is not a general power empowering the Government to review any order passed under the Act but it is confined only to an order passed under section 93 of the Act on the grounds specified there under."

And whereas, the experience shows that the period of 90 days is not sufficient for the Government for complete examination of the relevant files and the orders pronounced and thereby pass a considered order on review in the interest of better administration of justice. The time limit and confining the power of Government review only under section 93 of the Act have are being suitably amended, so as to provide for effective redressals within the provisions of the Act. Accordingly, it is decided to substitute the section 94 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No.30/ 1987) suitably.

And whereas, the Legislature of the State is not now in session and the Governor of Andhra Pradesh is satisfied that the circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

1. (i) This ordinance may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Ordinance, 2023.

Short title and
Commencement.

- (2) It shall come into force at once.

Amendment of
Section 6.

Act No. 30 of 1987.

2. In the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (hereinafter referred to as the Principal Act), in section 6,-

- (1) in sub-clause (ii) of clause (a), after the words "exceeds Rupees twenty five lakhs", the words "or such amount as may be fixed by the Government from time to time as notified in the official gazette" shall be added.
- (2) in sub-clause (ii) of clause (b), after the words "twenty five lakhs", the words "or such lower and higher limits of income as may be fixed by the Government from time to time as notified in the official gazette" shall be added.

Substitution of
Section 83.

3. in the Principal Act, for section 83, the following shall be substituted, namely,-

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

- (1) Notwithstanding anything to the contrary contained in this Act or any other law for the time being in force, the encroachment of land, building, or any property of a charitable or religious institution or endowment is prohibited.
- (2) The Executive Officer of the Charitable or Religious Institution or Endowment or the Assistant Commissioner or any authority higher in rank thereof, shall, by notice, require the encroacher to remove the encroachment as hereinafter provided.

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

- (a) either with drawing the notice issued and dropping further proceedings; or

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- (b) affirming the notice and duly stipulating the time within which such encroachment shall be removed.
- (3) If the encroacher fails to remove the encroachment within such stipulated period, the authority who issued the notice shall remove the encroachment with police assistance, if necessary.
- (4) For the purposes of securing police assistance, the authority concerned shall approach the jurisdictional Superintendent of Police/ Commissioner of Police who shall thereupon provide such police assistance as is deemed necessary for the removal of encroachment.
- (5) Any act of encroachment including the attempt to encroach shall be a cognizable offence, non-bailable and triable as a warrant case, in accordance with the provisions of Code of Criminal Procedure, 1973, punishable with imprisonment for a term which shall not be less than three years but which may extend to five years and with fine which may extend to Rupees one lakh.

Explanation: (i) For the purpose of this Chapter 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 the expiry or cancellation of the lease, mortgage or licence or permission in respect thereof.
- (b) enter into or create illegal tenancies or lease and licences agreement or any illegal document of title in respect of such property.

- (c) Construct un-authorised structures thereon for sale or hire or for his 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 the provisions herein above contained empowering the removal of encroachment in the manner provided in this section.
- (6) Any person aggrieved by the orders passed by the authority under sub-section (2) above shall have a right of appeal to the Endowments Tribunal within fifteen days from the date of receipt of the said orders.
- (7) During the pendency of the appeal, the Endowment Tribunal is competent to pass such interim orders in the interests of justice including any direction to the encroacher to deposit such amount, either as rentals or otherwise, as may be specified by it in consideration of the use and occupation of the properties in question.

Omission of Sections 84, 85 and 86.

4. In the Principal Act, sections 84, 85 and 86 shall be omitted.

Amendment of Section 91.

5. In the Principal Act, in section 91,-

- (1) after clause (iv), the following clause shall be inserted, namely, -

“(v) Which has been decided by the Endowment Tribunal under section 83(6) of the Act”.

- (2) Under clause (v) as so inserted, in the existing paragraph, after the words “the Government”, the words “or Endowments Tribunal” shall be inserted.

Amendment of Section 93.

6. In the Principal Act, in section 93, in sub-section (1), for the existing proviso, the following shall be substituted, namely,-

“Provided that the Government may pass exparte interim orders as per the circumstances and no final orders shall be passed prejudicial to any party unless he has had an opportunity of making his representation.”.

7. In the Principal Act, for section 94, the following shall be substituted, namely,-

Substitution of
Section 94.

“94. Review:- (1) “The Government may, at any time, either suomotu or on application from any person interested, review any order passed by it, under the provisions of this Act, if it was passed under any mistake, whether of fact or of law, or in ignorance of any material fact, and in the interests of charitable or religious institution or endowment.

(2) It shall be competent for the Government to keep the order under review in abeyance, pending disposal of the review.

Provided further that no such final order in review shall be passed without affording an opportunity to a person aggrieved or likely to be aggrieved by the said exercise of power.”.

S. ABDUL NAZEER,
Governor of Andhra Pradesh.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.

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THE ANDHRA PRADESH GAZETTE PART -IV-B EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 5]

AMARAVATI,

MONDAY,

26th JUNE, 2023.

ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS Etc.,

**ఆంధ్రప్రదేశ్ చట్టములు, అధ్యాదేశములు మరియు
వినియోగములు మొదలగునవి.**

2023, జూన్, 23వ తేదీన గవర్నరు జారీ చేసిన ఈ క్రింది అధ్యాదేశపు ఇంగ్లీషు భాషలోని అధికార పాఠమును భారత సంవిధానము యొక్క 348(3) అనుచ్ఛేదము క్రింద అందరి ఎరుక నిమిత్తము ప్రచురించబడుచున్నది.

2023లోని 5వ ఆంధ్రప్రదేశ్ అధ్యాదేశము

భారత ప్రజాసామ్రాజ్యపు దెబ్బ నాల్గవ సంవత్సరములో గవర్నరుచే జారీ చేయబడినది.

ఆంధ్రప్రదేశ్ ధార్మిక మరియు హిందూమత సంస్థల మరియు ఎండోమెంట్ల చట్టము, 1987ను ఇంకనూ సవరించుటకై అధ్యాదేశము.

ఆంధ్రప్రదేశ్ ధార్మిక మరియు హిందూమత సంస్థల మరియు ఎండోమెంట్ల చట్టము, 1987 (1987లోని 30వ చట్టము)లోని 6వ పరిచ్ఛేదము క్రింద సంస్థల వర్గీకరణ కొరకు విహితపరచిన ద్రవ్య పరిమితులను 2007లోని 33వ చట్టమును సవరించుట ద్వారా 2007వ సంవత్సరములో నిర్ణయించినందుననూ, గత కొంత కాలంగా దేవాలయముల వార్షిక ఆదాయ రాబడులలో మార్పుల దృష్ట్యా, 6వ పరిచ్ఛేదము క్రింద నిబంధించిన వర్గీకరణల ప్రతియొక దానిలో నిర్దిష్టపరచిన స్వల్ప మరియు అధిక ఆదాయ పరిమితులను ఎప్పటికప్పుడు సవరించుటకై ప్రభుత్వమునకు వీలుకల్పించుట, అవసరమై ఉన్నందుననూ;

మరియు, ఆంధ్రప్రదేశ్ ధార్మిక మరియు హిందూమత సంస్థల మరియు ఎండోమెంట్ల చట్టము, 1987లోని 83వ పరిచ్ఛేదము ప్రకారము, కౌలు/లైసెన్సు కాలావధి పూర్తయిన తరువాత కౌలుదారు స్వాధీనములో భూమి ఉండినచో అట్టి లైసెన్సీ/కౌలుదారు ఆక్రమణదారుగా పరిగణించబడును. ఆ కారణముగా అట్టి లైసెన్సీ/కౌలుదారును ఎండోమెంట్లు సంస్థ భూములు, దుకాణములు మొదలగు వాటి నుండి తొలగించుటకై కార్యనిర్వాహక ప్రాధికారులు ఎండోమెంట్ల

ట్రిబ్యునల్‌ను ఆశ్రయించవలెను. ఈ నిబంధనను దృష్టిలో ఉంచుకొని ఆక్రమణదారులను తొలగించుట కొరకు 9-11-2015వ తేదీగల రెవెన్యూ (ఎండోమెంట్ల) శాఖ, జి.ఓ.ఎంఎస్.నెం.426లో నియమములను రూపొందించుట జరిగినది. అట్టి నియమములు చట్టమునకు అధికారాతీతమైనవని తీర్పు చెప్పతూ గౌరవ ఉన్నత న్యాయస్థానము, డబ్ల్యుపి నెంబర్లు 34361, 39013 మరియు 39151/2016లలో 4-7-2018వ తేదీన తన తీర్పు ద్వారా సడరు నియమములను కొట్టివేసింది. అంతేకాకుండా, చట్టము తగిన విధముగా సవరించబడిననే తప్ప, సడరు నియమము అది ఎంత శ్లాఘనీయమైనప్పటికీ, మాన్యతను కలిగియుండదని ఉన్నత న్యాయస్థానము తీర్పునిచ్చింది. ఈ విషయంలో శాసనపూర్వకమైన అధికారమును కల్పించుట అవసరమై ఉన్నందున మరియు అదుపులు, రక్షణలతో మతపరమైన/ధార్మిక లేదా ఎండోమెంటు సంస్థలకు చెందిన ఆస్తి నుండి ఆక్రమణల తొలగింపును వేగవంతం చేయుటకు ప్రస్తుత సవరణలో తదనుగుణముగా నిబంధనలను ప్రతిపాదించినందునను, ఎండోమెంటు సంస్థల భూముల ఆక్రమణను విచారణయోగ్యమైన, బెయిలు ఇవ్వదగిన మరియు వారెంటు కేసుగా విచారించదగినదిగా చేయుటకు కూడా ప్రతిపాదించినందుననూ;

మరియు, ఆక్రమణలను, గ్రూపు ఆక్రమణలను తొలగించేటప్పుడు అనుసరించవలసిన కార్యవిధానమును ఆంధ్రప్రదేశ్ ధార్మిక మరియు హిందూమత సంస్థల మరియు ఎండోమెంట్ల చట్టము, 1987లోని 34, 85 మరియు 86 పరిచ్ఛేదములు విహితం చేస్తున్నవి. 93వ పరిచ్ఛేదమును చేర్చుట ద్వారా సమగ్రమైన సవరణ దృష్ట్యాను, 84, 85 మరియు 86 పరిచ్ఛేదముల అవసరం లేదు. తదనుసారముగా 84, 85 మరియు 86 పరిచ్ఛేదములను వదిలివేయవలెనని నిర్ణయించడమైనది.

అయితే, సడరు పరిచ్ఛేదము క్రింద రికార్డులను పర్యాలోచించి మరియు ఉత్తరువులను జారీచేయు సమయములో ప్రభుత్వము, ఎవరేని కక్షిదారు విన్నవించుకొనుటకు ఒక అవకాశమును అతను కలిగియుండిననే తప్ప అతనికి విరుద్ధముగా ఎట్టి ఉత్తరువు జారీచేయరాదని చట్టములోని 93వ పరిచ్ఛేదము విహితం చేస్తున్నది. అత్యవసర మధ్యంతర ఉత్తరువులను జారీచేయునపుడు ఇతర కక్షిదారులను ఆకర్షించుటకు ఆచరణ సాధ్యంకాదు. ఈ చట్టము క్రింద ప్రస్తుత నిబంధనల కారణముగా, ప్రభుత్వము జారీచేయు అట్టి మధ్యంతర ఉత్తరువులు న్యాయస్థానములచే కొట్టివేయబడదగినవై ఉన్నవి. ఆ ప్రకారముగా, 93వ పరిచ్ఛేదములోని ఉప-పరిచ్ఛేదము (1)ని తగిన విధముగా సవరించుటకు నిర్ణయించడమైనది.

మరియు, ఈ చట్టములోని ప్రస్తుతమున్న 94వ పరిచ్ఛేదము ప్రకారము, 93వ పరిచ్ఛేదము క్రింద జారీచేసిన ఉత్తరువుల విషయములో తప్ప వాస్తవ విషయ పొరపాటుగా అయిననూ లేక శాసన విషయక పొరపాటుగా అయిననూ లేదా ముఖ్య విషయములు తెలియకపోవుట కారణముగా అయిననూ జారీచేసిన ఏదేని ఉత్తరువును ప్రభుత్వము సమీక్షించరాదు.

మరియు, గౌరవ ఉన్నత న్యాయస్థానము 11-10-2007వ తేదీన డబ్ల్యుపి నెంబర్లు 984/2007లోని మరియు 2-5-2018వ తేదీన 2345/2007లోని ఈ క్రింది విధముగా స్పష్టమైన తీర్పు ఇచ్చినందుననూ;

“చట్టంలోని 93వ పరిచ్ఛేదము క్రింద పునఃపరిశీలన అధికారములను పురస్కరించుకొని ప్రభుత్వము జారీచేసిన ఉత్తరువు మాత్రమే పునరీక్షణకు అనుకూలమైనదని, చట్టములోని 94వ పరిచ్ఛేదమును స్పష్టంగా చదివిన మీదట తెలుస్తుంది. చట్టములోని 94వ పరిచ్ఛేదము క్రింద కల్పించిన పునరీక్షణ అధికారము, చట్టము క్రింద జారీచేసిన ఏదేని ఉత్తరువు, పునరీక్షణకై ప్రభుత్వమునకు అధికారమిచ్చునట్టి సాధారణ అధికారము కాదనీ అయితే 93వ పరిచ్ఛేదము క్రింద నిర్దిష్టపరచిన కారణములపై జారీచేసిన ఉత్తరువునకు మాత్రమే అది పరిమితమైనది.”.

మరియు, సంబంధిత దస్త్రాలను మరియు ప్రకటించిన ఉత్తరువులను పూర్తిగా పరిశీలించుటకు మరియు తద్వారా మెరుగైన న్యాయపాలన హితం దృష్ట్యా పునరీక్షణపై పర్యాలోచించిన ఉత్తరువును జారీచేయుట కొరకు ప్రభుత్వమునకు 90 దినముల కాలావధి సరిపోదని అనుభవము తెలియజేస్తున్నది. ఈ చట్టములోని నిబంధనల లోపల ఉపయుక్తమైన నివారణలను ఏర్పాటు చేయుటకు గాను ఈ చట్టములోని 93వ పరిచ్ఛేదము క్రింద మాత్రమే సమయ పరిమితిని మరియు ప్రభుత్వ పునరీక్షణాధికారమును పరిమితించుటకు తగిన విధముగా సవరించుట జరుగుచున్నది. ఆ ప్రకారముగా, ఆంధ్రప్రదేశ్ ధార్మిక మరియు హిందూమత సంస్థల మరియు ఎండోమెంట్ల చట్టము, 1987 (1987లోని 30వ చట్టము)లో 94వ పరిచ్ఛేదమును ఉంచుటకు నిర్ణయించడమైనది.

మరియు, రాష్ట్ర శాసనమండలి ఇప్పుడు సమావేశములో లేనందుననూ మరియు వెంటనే చర్య తీసుకోవలసిన పరిస్థితులు ఏర్పడినవని ఆంధ్రప్రదేశ్ గవర్నరు అభిప్రాయపడినందుననూ;

భారత సంవిధానములోని 213వ అనుచ్ఛేదపు ఖండము (1) ద్వారా ఒనగబడిన అధికారములను వినియోగిస్తూ, గవర్నరు ఇప్పుడు, ఇందుమూలంగా ఈ క్రింది అధ్యాదేశమును జారీచేయుచున్నారు:-

1. (1) ఈ అధ్యాదేశమును ఆంధ్రప్రదేశ్ ధార్మిక మరియు హిందూమత సంస్థల మరియు ఎండోమెంట్ల (సవరణ) అధ్యాదేశము, 2023 అని పేర్కొనవచ్చును.

సంగ్రహనామము
మరియు ప్రారంభము.

(2) ఇది వెంటనే అమలులోనికి రావలెను.

2. ఆంధ్రప్రదేశ్ ధార్మిక మరియు హిందూమత సంస్థల మరియు ఎండోమెంట్ల చట్టము, 1987 (ఇందు ఇకమీదట ప్రధాన చట్టమని పేర్కొనబడు)లోని 6వ పరిచ్ఛేదములో,-

6వ పరిచ్ఛేదమునకు
సవరణ.
1987లోని 30వ
చట్టము.

(1) ఖండము (ఎ)లోని ఉప-ఖండము (ii)లో “ఇరవై ఐదు లక్షల రూపాయలకు మించి” అను పదముల తరువాత “లేదా అధికారిక గెజెటులో అధిసూచించబడినట్లు ఆయా సమయములలో ప్రభుత్వముచే నిర్ణయించబడునట్టి మొత్తము” అను పదములను చేర్చవలెను.

(2) ఖండము (బి)లోని ఉప-ఖండము (ii)లో “ఇరవై ఐదు లక్షలు” అను పదముల తరువాత “లేదా అధికారిక గెజెటులో అధిసూచించబడినట్లు ఆయా సమయములలో ప్రభుత్వముచే నిర్ణయించబడునట్టి స్వల్ప మరియు అధిక ఆదాయ పరిమితులు” అను పదములను చేర్చవలెను.

83వ పరిచ్ఛేదమునకు
సవరణ.

3. ప్రధాన చట్టములోని 83వ పరిచ్ఛేదమునకు ఐదులుగా ఈ క్రింది దానిని ఉంచవలెను, అదేదనగా, -

“83. ధార్మిక లేదా మతపరమైన సంస్థ లేదా ఎండోమెంటుకు చెందిన భూమి, భవనము లేదా ఏదేని ఆస్తి ఆక్రమణ మరియు ఆక్రమణదారుని తొలగింపు,

(1) ఈ చట్టము మరియు ప్రస్తుతము అమలులో ఉన్న ఏదేని ఇతర శాసనములో అందుకు విరుద్ధముగా ఏమి ఉన్నప్పటికీ, ధార్మిక లేదా మతపరమైన సంస్థ లేదా ఎండోమెంటుకు చెందిన భూమి, భవనము లేదా ఏదేని ఆస్తి ఆక్రమణను నిషేధించడమైనది.

(2) ధార్మిక లేదా మతపరమైన సంస్థ లేదా ఎండోమెంటు కార్యనిర్వహణాధికారి లేదా సహాయ కమీషనరు లేదా దానికి పై హోదాగల ఎవరేని ప్రాధికారి, ఇందు ఇకమీదట నిబంధించినట్లుగా ఆక్రమణను తొలగించమని నోటీసు ద్వారా ఆక్రమణదారును కోరవలెను.

అయితే, అట్టి నోటీసు అందిన తేదీ నుండి ఒక వారంలోగా అట్టి నోటీసుకు సమాధానమును/సంజాయిషీని దాఖలు చేయుటకు ఆక్రమణదారు హక్కును కలిగియుండును. దానిని జాగ్రత్తగా పరిశీలించవలెను మరియు అందు పై తగిన ఉత్తరువులను క్రింది విధముగా జారీ చేయవలెను.

(ఎ) జారీచేసిన నోటీసును వాచను తీసుకొని తదుపరి ప్రొసీడింగులను నిలిపివేయుచూ; లేదా

(బి) నోటీసును ద్రువపరచుచూ మరియు అట్టి ఆక్రమణ ఎంత సమయములో తొలగించవలెనో అట్టి సమయమును విధిగా నిర్దేశిస్తూ;

(3) అట్లు నిర్దేశించిన కాలావధిలోగా ఆక్రమణదారు ఆక్రమణను తొలగించుటకు విఫలమైనయెడల, నోటీసును జారీచేసిన ప్రాధికారి అట్టి ఆక్రమణను, అవసరమైతే, పోలీసు సహాయముతో తొలగించవలెను.

(4) పోలీసు సహాయమును పొందు నిమిత్తము సంబంధిత ప్రాధికారి, అధికారిణా పరిధిగల పోలీసు సూపరింటెండెంటును/పోలీసు కమీషనరును సంప్రదించవలెను. అందు పై అతను ఆక్రమణను తొలగించుటకు అవసరమని భావించినట్టి పోలీసు సహాయమును ఏర్పాటు చేయవలెను.

(5) నేర ప్రక్రియాస్పృతి, 1973లోని నిబంధనల ననుసరించి, ఆక్రమణకు ప్రయత్నించుటతో సహా ఏదేని ఆక్రమణ చర్య, విచారణ యోగ్య అపరాధముగాను, బెయిలు ఇవ్వదగని మరియు వారెంటు కేసుగా విచారించదగినదిగాను ఉండవలెను మరియు అది మూడు సంవత్సరములకు తక్కువకాని, అయితే ఐదు సంవత్సరముల వరకు విస్తరించదగిన కాలావధిపాటు కారావాసముతో మరియు ఒక లక్ష రూపాయలదాకా విస్తరించదగిన జరిమానాతో శిక్షింపబడదగును.

విశదీకరణ: (i) ఈ అధ్యాయము నిమిత్తము 'ఆక్రమణ' అనే మాటకు అర్థము ఏమనగా, ఏదేని చట్టబద్ధమైన హక్కు లేకుండా మరియు ఎండోమెంటు సంస్థకు చెందిన భూములు, భవనములు లేదా ఆస్తిని చట్ట విరుద్ధముగా స్వాధీనము చేసుకొను ఉద్దేశముతో ఒక వ్యక్తి లేదా వ్యక్తుల గ్రూపుచే జరుపబడు ఈ క్రింది విధమైన ప్రతి ఒక కార్యకలాపము అని అర్థము:

(ఎ) కౌలు/తనఖా/లైసెన్సును మంజూరుచేయు సమర్థ ప్రాధికారి ఆమోదము లేకుండా సదరు భూములు, భవనములు లేదా ఆస్తిని ఆక్రమించుట లేదా వాటికి సంబంధించి కౌలు, తనఖా లేదా లైసెన్సు లేదా అనుమతి ముగిసిన తరువాత లేదా రద్దయిన తరువాత అట్టి భూమి, భవనములు లేదా ఆస్తి ఆధీనమును కొనసాగించుట.

(బి) అట్టి ఆస్తికి సంబంధించి చట్ట విరుద్ధమైన కౌలు లేదా లీజు మరియు లైసెన్సులు, ఒప్పందము లేదా ఏదేని చట్ట విరుద్ధమైన దస్తావేజును కుదుర్చుకొనుట లేదా సృష్టించుట.

(సి) ఆమ్మకమునకు లేదా అద్దెకు లేదా అతని సొంత వినియోగమునకు గాను వాటిపై అనధికార నిర్మాణములను నిర్మించుట మరియు పైన తెలియజేసిన రీతిలో ఆక్రమణకు చేయు ప్రయత్నము ఇందులో చేరివుండును.

(ii) ఆక్రమణదారు అను పదమును ఆ ప్రకారముగా అన్వయించుకొనవలెను.

(iii) ఇది, ఈ పరిచ్ఛేదములో నిబంధించిన రీతిలో ఆక్రమణను తొలగించుటకు అధికారమిచ్చుటను కలిగియున్న ఇందులోని పై నిబంధనలకు ఆదనముగా ఉండును.

(6) పై ఉప-పరిచ్ఛేదము (2) క్రింద ప్రాధికారిచే జారీచేయబడిన ఉత్తరువుల ద్వారా వ్యధితుడైన ఎవరేని వ్యక్తి, సదరు ఉత్తరువులు అందిన తేదీ నుండి పదిహేను దినములలోగా ఎండోమెంటు ట్రిబ్యూనల్ కు అపీలు చేసుకొనుటకు హక్కు కలిగియుండును.

(7) అపీలు పెండింగులో ఉన్న సమయములో, వివాదములో ఉన్న ఆస్తుల వినియోగము మరియు ఆధీనమును పురస్కరించుకొని నిర్దిష్టపరచబడునట్టి మొత్తమును, అది అద్దెలుగా గాని లేదా ఇతర విధముగా గాని, డిపాజిట్ చేయుటకై ఆక్రమణదారుకు ఏదేని ఆదేశమును జారీచేయుటతో సహా న్యాయహితం కోసం అట్టి మధ్యంతర ఉత్తరువులను జారీచేయుటకు ఎండోమెంటు ట్రిబ్యూనలుకు అర్హత ఉన్నది.”.

4. ప్రధాన చట్టములోని 84, 85 మరియు 86 పరిచ్ఛేదములను వదిలివేయవలెను.

84, 85 మరియు 86
పరిచ్ఛేదములను
వదిలివేయుట.

5. ప్రధాన చట్టములోని 91వ పరిచ్ఛేదములో,-

91వ పరిచ్ఛేదమునకు
సవరణ.

(1) ఖండము (iv) తరువాత ఈ క్రింది ఖండమును చొప్పించవలెను, అదేదనగా,-

“(v) ఈ చట్టములోని 83(6) పరిచ్ఛేదము క్రింద ఎండోమెంటు ట్రిబ్యునలుచే నిర్ణయించబడినట్టి.”.

(2) అట్లు చొప్పించబడిన ఖండము (v) క్రింద ప్రస్తుత పేరాగ్రాఫ్‌లో “ఆ ప్రభుత్వము” అను పదముల తరువాత, “లేదా ఎండోమెంటు ట్రిబ్యునల్” అను పదములను చొప్పించవలెను.

93వ పరిచ్ఛేదమునకు
సవరణ.

6. ప్రధాన చట్టములోని 93వ పరిచ్ఛేదపు ఉప-పరిచ్ఛేదము(1)లో ప్రస్తుత వినాయంపునకు బదులుగా ఈ క్రింది దానిని ఉంచవలెను, అదేదనగా,-

“అయితే, ప్రభుత్వము పరిస్థితుల ప్రకారము ఏక పక్ష మధ్యంతర ఉత్తరువులను జారీ చేయవచ్చును మరియు అతను విన్నపము చేసుకొనుటకు ఒక అవకాశమును అతను కలిగియుండిననే తప్ప ఎవరేని పక్షకారుకు ప్రతికూలముగా తుది ఉత్తరువులను జారీ చేయరాదు.”.

94వ పరిచ్ఛేదమును
ఉంచుట.

7. ప్రధాన చట్టములోని 94వ పరిచ్ఛేదమునకు బదులుగా ఈ క్రింది దానిని ఉంచవలెను, అదేదనగా,-

“94. పునరీక్షణ:- (1) “ప్రభుత్వము ఎప్పుడయిననూ తనంతలానుగా గాని లేదా ఆనక్తిగల ఎవరేని వ్యక్తి నుండి అందిన దరఖాస్తుపై ఈ చట్టములోని నిబంధనల క్రింద అది జారీచేసిన ఏదేని ఉత్తరువును, అది వాస్తవ విషయ పొరపాటుగా అయిననూ లేదా శాసన విషయక పొరపాటుగా అయిననూ లేదా ఏదేని ముఖ్య విషయము తెలియకపోవుట కారణముగా అయిననూ మరియు ధార్మిక లేదా మతపరమైన సంస్థ లేదా ఎండోమెంటు వ్రయోజనముల దృష్ట్యా జారీచేయబడినచో దానిని పునరీక్షించవచ్చును.

(2) పునరీక్షణ పరిష్కారము అయ్యేంతవరకు, పునరీక్షణ క్రింద ఉన్న ఉత్తరువును నిలిపి ఉంచుటకు ప్రభుత్వము అర్హత కలిగివున్నది.

అంతేకాకుండా, సదరు అధికారమును వినియోగించుట వలన వ్యధితుడైన లేదా వ్యధితుడు కాదగునట్టి వ్యక్తికి ఒక అవకాశమును ఈయకుండా పునరీక్షణలో అట్టి తుది ఉత్తరువు ఏదీ జారీచేయబడరాదు.”.

ఎస్. అబ్దుల్ నజీర్,

ఆంధ్రప్రదేశ్ గవర్నరు.

జి. సత్య ప్రభాకరరావు,

ప్రభుత్వ కార్యదర్శి,

న్యాయ, శాసన వ్యవహారములు మరియు

న్యాయపాలన, న్యాయశాఖ.

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ఆంధ్రప్రదేశ్ రాజపత్రము

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No. 36] AMARAVATI, FRIDAY, 27th OCTOBER 2023.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 18th October, 2023 and the said assent is hereby first published on the 27th October, 2023 in the Andhra Pradesh Gazette for general information :

ACT No. 36 of 2023.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
CHARITABLE AND HINDU RELIGIOUS INSTITUTIONS AND
ENDOWMENTS ACT, 1987.**

Be it enacted by the legislature of the State of Andhra Pradesh in the Seventy-fourth Year of Republic of India as follows,-

1. (1) This Act may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Act, 2023.

Short title and
commencement

(2) It shall be deemed to have come into force on and from the 26th June, 2023.

2. In the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (herein after referred to as the Principal Act), in section 6,-

Amendment
of section 6.
Act No. 30 of
1987.

(1) in sub-clause (ii) of clause (a), after the words "exceeds Rupees twenty five lakhs", the words "or such amount as may be fixed

by the Government from time to time as notified in the official gazette" shall be added:

- (2) in sub-clause (ii) of clause (b), after the words "twenty five lakhs", the words "or such lower and higher limits of income as may be fixed by the Government from time to time as notified in the official gazette" shall be added.

Substitution of
section 83.

- (3) In the Principal Act, for section 83, the following shall be substituted, namely,

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

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

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

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

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

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

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

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

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

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

Explanation: (i) For the purpose of this Chapter 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 the expiry or cancellation of the lease, mortgage or licence or permission in respect thereof.
- (b) enter into or create illegal tenancies or lease and licences, agreement or any illegal document of title in respect of such property.
- (c) Construct un-authorised 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 the provisions herein above contained empowering the removal of encroachment in the manner provided in this section.
- (6) Any person aggrieved by the orders passed by the authority under sub section (2) above shall have a right of appeal to the Endowments Tribunal within fifteen days from the date of receipt of the said orders.

(7) During the pendency of the appeal, the Endowment Tribunal is competent to pass such interim orders in the interests of justice including any direction to the encroacher to deposit such amount, either as rentals or otherwise, as may be specified by it in consideration of the use and occupation of the properties in question.

(8) If any encroacher fails to remove the encroachment, within such stipulated period mentioned in the eviction orders already passed by Endowments Tribunal, the Executive Authority of the Institution or the Assistant Commissioner having jurisdiction over the District shall remove the encroachment with such police assistance, if necessary and recover the cost of removal from the encroacher.

Omission of
Sections 84, 85
and 86.

4. In the Principal Act, sections 84, 85 and 86 shall be omitted.

Amendment
of section 91.

5. In the Principal Act, in section 91,-

(1) after clause (iv), the following clause shall be inserted, namely, -

"(v) Which has been decided by the Endowment Tribunal under section 83(6) of the Act."

(2) After clause (v) as so inserted, after the words "if such Court or the Government", the words "or Endowments Tribunal" shall be inserted.

Amendment of
section 93.

6. In the Principal Act, in section 93, in sub-section (1), for the existing proviso, the following shall be substituted, namely,-

"Provided that the Government may pass exparte interim orders as per the circumstances and no final orders shall be passed prejudicial to any party unless he has had an opportunity of making his representation"

Substitution of
section 94.

7. In the Principal Act, for section 94, the following shall be substituted, namely,-

"94. Review: - (1) "The Government may, at any time, either suomotu or on application from any person interested, review any order passed by it, under the provisions of this Act, if it was passed under any mistake, whether of fact or of law, or in ignorance of any material fact, and in the interests of charitable or religious institution or endowment.

(2) It shall be competent for the Government to keep the order under review in abeyance, pending disposal of the review.

Provided further that no such final order in review shall be passed without affording an opportunity to the person aggrieved or likely to be aggrieved by the said exercise of power".

8. (1) The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Ordinance, 2023 is hereby repealed.

Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

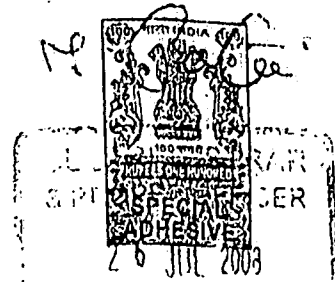
Ordinance
No.5 of 2023.

G. SATYA PRABHAKARA RAO,

Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.

EXP-12

96



GENERAL POWER OF ATTORNEY

Know ye, all men by these presents:- that I, Challa Veera Venkateswara Kumar, S/o late Dr. C. Suryanarayana Hindu, aged 25 years, residing at D.No.14-37-15/1, hereby appoint, designate and constitute Srimathi. C. Vasantha- w/o Dr. C. Suryanarayana as my lawful agent and attorney to perform all or any of the following acts and deeds for me and on my behalf.

Where as I am leaving for United States of America for higher studies and whereas I will be away from the country for more than two years and where as due to my absence from the Country, my property and other interest should be looked after by some body and where as the above named attorney is my mother and I am fully confident that she will protect my interest and look after all matters I nominate her as my agent and attorney to perform the following acts

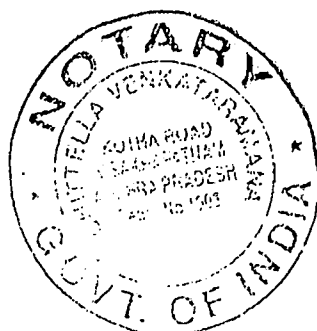
1. To look after the pending litigation in the High Court relating to the land situated in Vepagunta village in respect of which an appeal is pending in the High Court of A.P.
2. To look after the issue relating to ownership of the land and take-up the same with the Simhachalam Devasthanam.

contd....2

C. Vasantha
G.P.A. Holder.

Ch. V.V. Kumar

EXECUTANT.



Cell : 9346303846
CHITTELLA VENKATERAMANA
B.A. (Hons), M.A. (Pun. Admin.), LL.B.
POWER ATTORNEY & ADVOCATE & NOTARY
21-24-3, TOWN KOTHA ROAD
VISAKHAPATNAM - 530 001, INDIA

26/7/2008
NOTARY
VISAKHAPATNAM
ANDHRA PRADESH
INDIA

97

: 2 :

3. To continue existing legal proceedings in all Courts and also to initiate any fresh case if necessary to protect my share in the property and for the said purpose engage a lawyer or lawyers, sign vakalats, sign and verify pleadings, file appeals revisions etc., and compromise the same if it is in my best interests, to appear before all Courts-Civil, Criminal, Revenue etc.

4. To appear before Panchayat, Municipal Corporation, revenue authorities in respect of my share in the property in the land in Vepagunta.

5. To correspond and receive from the postal authorities my postal savings and on maturity or re-invest the same, to the receive all the correspondent addressed to me from source including registered letters and letters sent through courier, any value payable and insured covers.

And generally to do all lawful acts and on the said attorney performing all the same I agree to ratify the same.

In witness where of, I have subscribed my signature on to this document on this 26th day of July, 2008 in the presence of the notary.

C. Vajravelu.
G.P.A. Holder.

Witnesses: 1. C Lalitha.

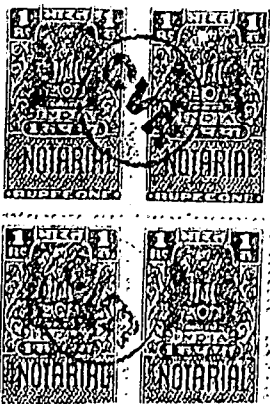
2. K. Padma

Ch. V. V. K. K. K.
EXECUTANT.

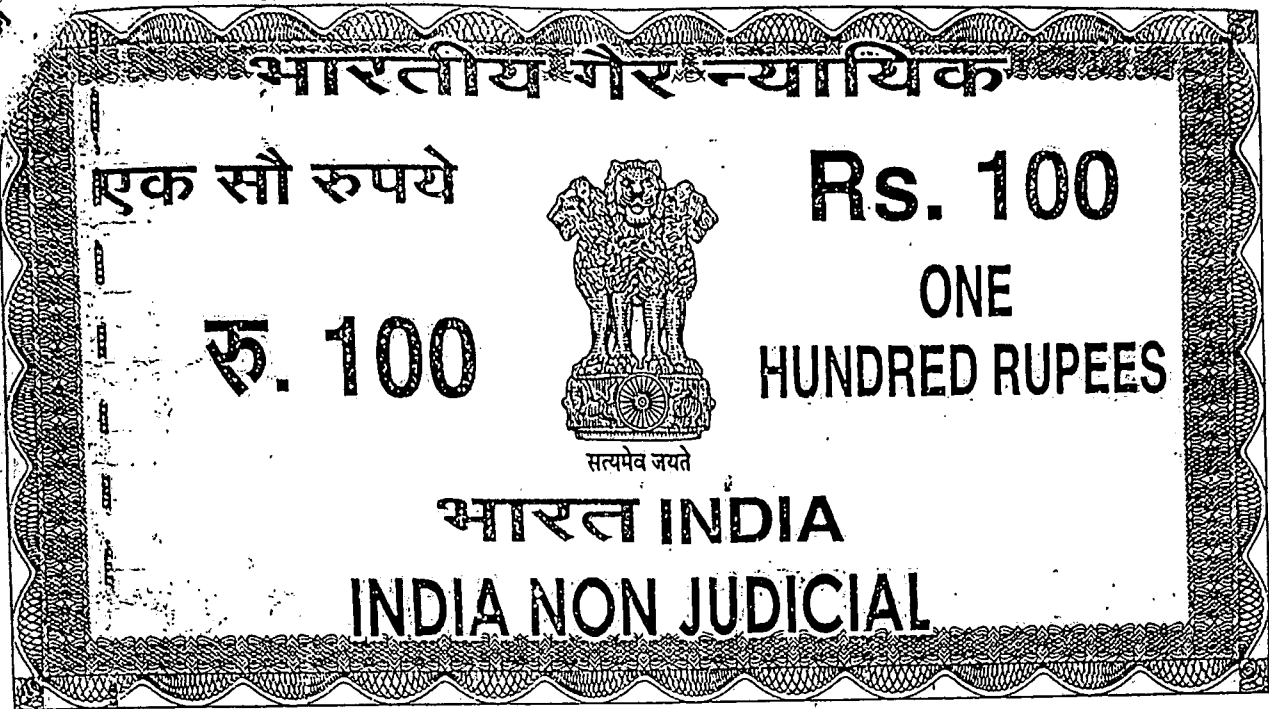
Executed before me,

NOTARY 26/7/2008
VISAKHAPATNAM
ANDHRA PRADESH
INDIA

Cell : 9346303245
CHITTELLA VENKATARAMANA
M.A.(Econ); M.A.(Pub. Admn.); M.L.
PATENT ATTORNEY & ADVOCATE & NOTARY
21-34-3, TOWN KOTHA ROAD
VISAKHAPATNAM



-98-



ఆంధ్రప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

H 911981

4603 Di 06-12-2007

1007- K. SRINIVAS RAD SW APPA RAD. VHP

For CHALLA SRIDEVI D/o LATE Dr. C. SURYANARAYANA D.No. 14-37-15/1 VSP

GENERAL POWER OF ATTORNEY

Know ye all men by these presents:- that I, Challa Sridevi, aged 22 years, daughter of late Dr.C.Suryanarayana, residing at D.No-14-37-15/1 hereby appoint, designate and constitute Srimathi. C.Vasantha, W/o Dr. C.Suryanarayana as my lawful agent and attorney to perform all or any of the following acts and deeds for me and on my behalf.

Where as I am leaving for United States of America for higher studies and whereas I will be away from the country for more than two years and where as due to my absence from the country, my property and other interest should be looked after by some body and where as the above named attorney is my mother and I am fully confident that she will protect my interest and look after all matters I nominate her as my agent and attorney to perform the following acts;

ATTESTED

NOTARY
VISAKHAPATNAM
ANDHRA PRADESH
INDIA

L. Sridevi

1. To look after the pending litigation in the High Court relating to the land situated in Vepagunta village in respect of which an appeal is pending in the High Court of A.P.
2. To look after the issue relating to ownership of the land and take-up the same with the Simhachalam Devasthanam.
3. To continue existing legal proceedings in all courts and also to initiate any fresh case if necessary to protect my share in the property and for the said purpose engage a lawyer or lawyers, sign vakalats, sign and verify pleadings, file appeals revisions etc., and compromise the same if it is in my best interests, to appear before all Courts - Civil, Criminal, Revenue etc
4. To appear before panchayat, municipal corporation, revenue authorities in respect of my share in the property in the land in Vepagunta.
5. To correspond and receive from the postal authorities my postal savings and on maturity or re-invest the same, to receive all the correspondent addressed to me from any source including registered letters and letters sent through courier, any value payable and insured covers.

And generally to do all lawful acts and on the said attorney performing all the same I agree to ratify the same.

In witness where of, I have subscribed my signature on to this document on this 10th day of December, 2007 in the presence of the notary.

C. Varantra.

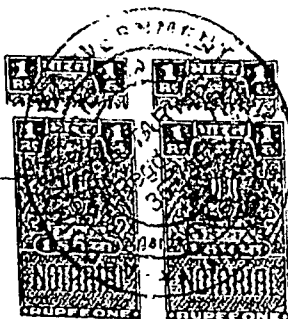
C.P.A. Holder

Witnesses

1) Chintalalitha

2) _____

C. Varantra
EXECUTANT



Cell : 98482 11558 & 2541816
Ganti Subrahmanyam
ADVOCATE & NOTARY
48-35-28/1, SR. SAI RESIDENCY
JAGANNADHAPURAM, VISAKHAPATNAM
VISAKHAPATNAM-530 010

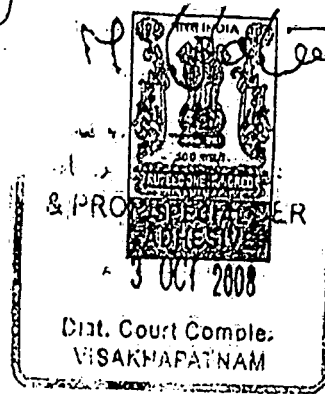


ATTESTED

10/12/07
NOTARY
VISAKHAPATNAM
ANDHRA PRADESH
INDIA

N.R.Si.No. 123 Date 10/12/07
My Commission Expires on 26-5-2009

100



GENERAL POWER OF ATTORNEY

Know ye all men by these presents : that I, Challa Rama Devi Savitri, Hindu, aged 19 years, daughter of late Dr. C. Suryanarayana, residing at D.No.14-37-15/1 hereby appoint, designate and constitute Srinathi C. Vasantha, W/o. Dr. C. Suryanarayana as my lawful agent and Attorney to perform all or any of the following acts and deeds for me and on my behalf.

Whereas I am leaving for United States of America for higher studies and whereas I will be away from the Country for more than two years and where as due to my absence from the Country, my property and other interest should be looked after by some body and where as the above named Attorney is my mother and I am fully confident that she will protect my interest and look after all matters I nominate her as my agent and attorney to perform the following acts :

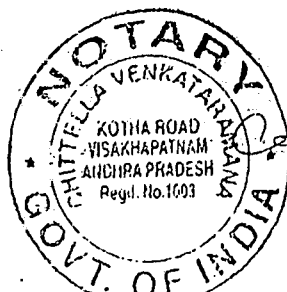
1. To look after the pending litigation in the High Court relating to the land situated in Vepagunta Village in respect of which an appeal is pending in the High Court of Andhra Pradesh.

C. Vasantha
G.P.A. HOLDER

C. Rama Devi

EXECUTANT

ATTESTED



31 Oct 2008 0348303846
CHITTELLA VENKATARAMANA
M.A. (Econ); M.A. (Pub. Adm.); M.L.
PATENT ATTORNEY & ADVOCATE & NOTARY
21-34-3, TOWN KOTHA ROAD
VISAKHAPATNAM - 530 001, INDIA

- 101
2. To look after the issue relating to ownership of the land and take-up the same with the Simhachalam Devasthanam.
 3. To continue existing legal proceedings in all courts and also to initiate any fresh case if necessary to protect my share in the property and for the said purpose engage a lawyer or lawyers, sign vakalats, sign and verify pleadings, file appeals revisions etc., and compromise the same if it is in my best interests, to appear before all Courts-Civil, Criminal, Revenue etc.,
 4. To appear before Panchayat, Municipal Corporation, Revenue authorities in respect of my share in the property in the land in Vepagunta.
 5. To correspond and receive from the postal authorities my postal savings and on maturity or re-invest the same, to receive all the correspondent addressed to me from any source including registered letters and letters sent through courier, any value payable and insured covers.

And generally to do all lawful acts and on the said Attorney performing all the same I agree to ratify the same.

In witness where of, I have subscribed my signature on this document on this 3rd day of October, 2008 at Visakhapatnam in the presence of the Notary.

C. Varanatha

G.P.A. HOLDER

A. Rama Devi

EXECUTANT

A. Rama Devi

ATTESTED BY EXECUTANT

WITNESSES

1. *V. Gopalkrishna*

2. *C. Lalitha*



ATTESTED

CHITTELLA VENKATARAMAN
M.A. (Econ); R.A. (Pub. Adm.); M.
PATENT ATTORNEY & ADVOCATE
21-34-3, TOWN KOTHA ROAD
VISAKHAPATNAM - 530 001. ANDHRA PRADESH

NR. SL. No. 21

Date 3/10/2008

MEMORANDUM OF INTERLOCUTORY APPLICATION
(Under Section 151 of CPC)

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT AMARAVATI

I.A.No. of 2025

in

W.P.No. of 2025

Between:

1. Challa Vasantha,
W/o Challa Suryanarayana,
aged about 75 years.
2. C.V.V. Kumar,
S/o Challa Suryanarayana,
aged about 50 years.
3. C. Sridevi,
D/o Challa Suryanarayana,
aged about 47 years.
4. C. Ramadevi,
D/o Challa Suryanarayana,
aged about 43 years.

All are residents of D.No.14-37-15/1,
Krishna Nagar, Maharani-peta,
Collectorate Area, Visakhapatnam.
(Petitioners 2 to 4 are represented by
G.P.A.Holder i.e, 1st petitioner herein)

...Petitioners

And

1. State of Andhra Pradesh, rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District.
2. The Commissioner,
Endowments Department,
Government of Andhra Pradesh,
Gollapudi, Vijayawada-521 225.

3. Sri Varaha Lakshmi Narasimha Swamy
Vari Devasthanam, Simhachalam,
Visakhapatnam, rep.by its Executive Officer.

...Respondents

For the reasons stated in the affidavit, filed in support of the writ petition, the petitioners herein pray that this Hon'ble Court may be pleased to suspend the order in Order/SVLNSD-LG/J1/HC/30/2024 dated 13.12.2024 passed by the 3rd respondent, pending disposal of the writ petition and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Amaravati

Dt. 03-02-2025



Counsel for the petitioners

Comp

GP

(R)

Visakhapatnam District

HIGH COURT AT AMARAVATI

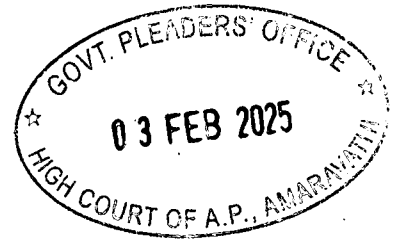
I.A.No. of 2025

in

W.P.No. of 2025

Endow

Suspension Petition



Filed on: 03-02-2025

Filed by::

Mr. Kochiri Raja Shekar (22366)
Advocate

Counsel for petitioners

9866748343

Acknowledgement No.:



REV070212182

Monday, Feb 03, 2025 14:04:08 PM

APOLCMS