

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V.RAMANA**

**WRIT PETITION NO : 23994 of 1997**

Between:

1. Sri Gudipati Raja Gopala Rao, S/o.late Sri Ramulu, aged 78 years, Hereditary Trustee, Sri Kodanda Ramaswamy Temple, Venkatapuram Village, Krishna District.
2. Gorthikoti Rama Murthy, S/o.Venkatappavadhanulu, Aged about 78 years, Hereditary Trustee, Sri Vallabheswara Swamy Temple, Venkatapuram village, Krishna District.

**PETITIONERS**

AND

1. The Assistant Commissioner, H.R.C.Endowments, Vijayawada, Krishna District.
2. The Executive Officer, Peddintlammavari Devastanam, Kolletikota, Kaikaluru Mandal, Krishna District.
3. Inspector, O/c.The H.R.C. Endowments, Gudivada, Krishna District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of the Writ of Mandamus declaring the action of the 1<sup>st</sup> Respondent in issuing the proceedings No.A5/4165/98, dated 19-6-1998 appointing the 2<sup>nd</sup> Respondent as single trustee to Sri Kodanda Rama Swamy Temple and Sri Vallabheswara Swamy Temple, Venkatapuram Village, Kalidindi Mandalam, Krishna District, without following the procedure and the communicated orders of the 2<sup>nd</sup> respondent is highly arbitrary, unjust and is opposed to the principles of natural justice and contrary to the provisions of Sec. 15(3) of A.P. Charitable and Hindu Religious Institutions and Endowment Act, 1987.

**Counsel for the Petitioner: P.Rajashekhar**

**Counsel for the Respondents.1 & 3:Government Pleader for Endowments.  
Counsel for respondent NO.2: M.Chandrashekhar Rao**

**The Court made the following :**

**THE HON'BLE MR JUSTICE N.V.RAMANA**

**WRIT PETITION No : 23994 of 1997**

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**ORDER:**

Learned counsel for the petitioners represents that the cause in this writ petition does not survive and it has become infructuous.

Recording the same, the Writ Petition is dismissed as having become infructuous.  
No costs.

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**(N.V. RAMANA, J)**

**Date: 28<sup>th</sup> March, 2005**

mrb

To

1. The Assistant Commissioner, H.R.C.Endowments, Vijayawada, Krishna District.
2. The Executive Officer, Peddintlammavari Devastanam, Kolletikota, Kaikaluru Mandal, Krishna District.
3. Inspector, O/c.The H.R.C. Endowments, Gudivada, Krishna District.
4. Two CCs to GP for Endowments, High Court Buildings, Hyderabad(OUT).
5. Two CD copies.