

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.18954 of 2003

ORDER:

Petitioners claim to be the archakas in Sri Chennamalleswara Swamy Devasthanam situated at Penamakuru Village, Thotlavalluru Mandal, Krishna District. In this Writ Petition, they have questioned notice bearing No.M1/10256/99-1, dated 17.03.1999 issued by the second respondent – Deputy Commissioner of Endowments, Kakinada, East Godavari District.

The impugned notice is issued inviting objections stating that proposals are sent to the competent authority seeking permission for alienation of land to an extent of Acs.5.30 cents covered by Survey No.547/10 situated at Penamakuru Village, Thotlavalluru Mandal, Krishna District. If the petitioners are objecting for such proposed sale, they can as well approach the authorities concerned and file their objections. As much as the impugned notice is not a notice for sale of the land itself, there is no reason for the petitioners to approach this Court, at this stage.

It is to be noticed that by way of interim order, this Court granted status quo at the first instance and

subsequently, directed not to sell the land in question and permitted the respondents to auction the leasehold rights of the same.

For the aforesaid reasons, as much as the impugned notice is only a notice inviting objections, I am of the view that if the petitioners are claiming any right over the land in question, it is open to them to put forth their objections before the competent authority. If there is still need for selling the land in question, no such sale shall be taken place unless there is approval from the competent authority under the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

Subject to the above observations, the Writ Petition is disposed of. No order as to costs.

R.SUBHASH REDDY, J

27th DECEMBER, 2011.

kvni