

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 11497 OF 2025

Between:

1. Indurthy Venkat Reddy, S/o.Sriram Reddy Aged about 50 years, Occ . Business R/o.Thimmapur Village, Jajireddygudem Mandal Suryapet District.
2. Erupula Venkanna, S/o.Veeramallu Aged about 45 years, Occ . Agriculture R/o.H.No.1-44, Arvapally Village, Jajireddygudem Mandal, Suryapet District.
3. Bachati Praveen Kumar, S/o.Somaiah Aged about 35 years; Occ . Agriculture R/o.H.No.2-44, Kommala Village, Jajireddygudem Mandal, Suryapet District.
4. Dirsinapu Krishnamurthy, S/o.Venkaiah Aged about 50 years, Occ . Business R/o.H.No.1-18, Arvapally Village, Jajireddygudem Mandal, Suryapet District.
5. Danda Venkat Reddy, S/o.Narsi Reddy Aged about 45 years, Occ . Agriculture R/o.H.No.1-120, Persaipally Village, Jajireddygudem Mandal, Suryapet District.
6. Pasham Rekha, W/o.Sridhar Aged about 35 years, Occ . Housewife R/o.H.No.5-55, Arvapally Village, Jajireddygudem Mandal, Suryapet District.
7. Sri Ragi Anil Kumar, S/o.Kankachary Aged about 45 years, Occ . Business R/o.H.No.8-107, Arvapally Village, Jajireddygudem Mandal, Suryapet District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Endowments Department, Secretariat, Hyderabad.
2. The Commissioner of Endowments, Government of Telangana, Boggulakunta, Tilak Road Hyderabad.
3. The Assistant Commissioner, Endowment Department Nalgonda District.
4. Sri Yogananda Laxmi Narasimhaswamy Temple, Rep. by its Executive Officer Arvapally, Jajireddygudem Mandal Suryapet District.
5. Pandi Yadagiri, S/o.Venkatanarsu Aged about 55 years, Occ . Farmer R/o.Parsaipally Village, Jajireddygudem Mandal Suryapet District.
6. Kanuku Renuka, W/o.Krishnaiah Aged about 31 years, Occ . Housewife R/o.Arvapally Village, Jajireddygudem Mandal Suryapet District.
7. Akula Somaiah, S/o.Rangaiah Aged about 61 years, Occ . Farmer R/o.Jajireddy Village, Jajireddygudem Mandal Suryapet District.
8. Jeripothula Somaiah, S/o.Gopaiah Aged about 65 years, Occ . Farmer R/o.Jajireddy Village, Jajireddygudem Mandal Suryapet District.
9. Beerelli Sridhar Reddy, S/o.Janaki Reddy Aged about 40 years, Occ . Private Service R/o.Thimmapuram Village, Jajireddygudem Mandal Suryapet District.
10. Anireddy Rajender Reddy, S/o.Ramakrishna Reddy Aged about 60 years, Occ . Farmer R/o.Rammannagudem Village, Jajireddygudem Manca Suryapet District.

11. Smt. Gaddam Kalyani, , W/o. Shekar Aged about 32 years, Occ . Housewife
R/o. Koduru Village, Jajireddygudem Mandal Suryapet District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd Respondent in constituting the Board of Trustees to the 4th Respondent Temple by appointing the Respondent Nos.5 to 11 as Members/Trustees vide its Proceedings No.F5/905/2025, dt.08/04/2025 without giving any opportunity of making applications by the petitioners and without issuing any fresh notification calling for appointment of Board of Trustees to the 4th respondent temple as illegal, arbitrary, unconstitutional and contrary to the provisions of Sec.15 and 17 of the T.S. Endowments Act and consequently by setting aside the Impugned Proceedings of the 2nd respondent No.F5/905/2025 dt.08/04/2025, direct the Respondent Nos.2 to 4 to issue afresh notification as per Provisions of Endowments Act by calling for applications to constitute the trust board to the 4th respondent Temple in the interest of justice

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay all further proceedings pursuant to the Impugned Proceedings of the 2nd respondent No.F5/905/2025 dt.08/04/2025 including performance of the proposed oath ceremony as Board of Trustees by the 3rd Respondent to the 4th Respondent Temple on 15/04/2025 or any other subsequent date/dates, pending disposal of the above writ petition

Counsel for the Petitioner: SRI. C. HARI PREETH

**Counsel for the Respondent Nos. 1to3: SRI MANGILALA NAIK,
GP FOR ENDOWMENTS**

Counsel for the Respondent No.4: SRI CH. SATISH KUMAR, SC

Counsel for the Respondent Nos. 5to7,8&9: SRI THOTA YAKAIAH,

Counsel for the Respondent No.10: SRI D.Y.L.N. CHARYULU

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION No.11497 OF 2025

ORDER

The present Writ Petition is filed seeking the following relief:

“....to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in constituting the Board of Trustees to the 4th respondent Temple by appointing respondent Nos.5 to 11 as Members/Trustees vide its Proceedings No.F5/905/2025, dt.08.04.2025 without giving any opportunity of making applications by the petitioners and without issuing any fresh notification calling for appointment of Board of Trustees to the 4th respondent temple as illegal, arbitrary, unconstitutional and contrary to the provisions of Section 15 & 17 of the T.S. Endowments Act and consequently by setting aside the Impugned Proceedings of the 2nd respondent No.F5/905/2025 dt.08.04.2025, direct respondent Nos.2 to 4 to issue afresh notification as per Provisions of Endowments Act by calling for applications to constitute the trust board to the 4th respondent Temple in the interest of justice, and to pass such other order or orders as this Court deems fit and proper in the circumstances of the case....”

2. Heard Mr.C.Hari Preeth, learned counsel representing petitioners, Mr.Mangilal Naik, learned Government Pleader for Endowments representing respondent Nos.1 to 3, Mr.Ch.Satish Kumar, learned standing counsel for respondent No.4. Mr.Thota Yakaiah, learned counsel for

respondent Nos.5 to 7 and Mr.D.Y.L.N.Charyulu, learned counsel for respondent No.10. Perused the record.

3. Learned counsel representing petitioners submits that initially 2nd respondent herein issued notification on 10.10.2024 calling for applications from the eligible persons to be appointed as Board of Trustees to the 4th respondent temple and the said issue was delayed for various reasons, further, the petitioners were considered for appointment as Committee Members only for the Brahmotsavams Period and accordingly, vide Proceedings Rc.No.F5/996/2020 dt.23.01.2025, the petitioners were appointed as Committee Members to 4th respondent temple to hold the office from 08.02.2025 till 25.02.2025 for smooth functioning of the administration of 4th respondent temple to perform the Brahmotsavams.

4. Learned counsel further submits that subsequently the appointment of the petitioners was challenged by 10th respondent herein in W.P.No.2361 of 2025 before this Court questioning the constitution of temporary committee with the petitioners by 2nd respondent to perform

Brahmotsavams alleging that without issuing any Notification, 2nd respondent appointed the petitioners as Festival Committee Members, which is contrary to Section 15 & 17 of Endowments Act. He further submits that on consideration of the relevant issues and on material, this Court vide Order date 06.02.2025 while upholding the temporary constitution of committee, dated 25.01.2025 for performing the Brahmotsavalu with the members, while disposing of the Writ Petition directed the official respondents to expeditiously finalize the constitution of regular committee.

5. Learned counsel further submits that 2nd respondent herein has kept the earlier notification issued on 10.10.2024 without implementing the same and Temporary Committee was appointed with the petitioners on 25.01.2025 and therefore, the said Notification, dt.10.10.2024 was no longer in force. He further submits that many of the persons could not apply for membership as Board of Trustees earlier pursuant to the initial notification, dt.10.10.2024 and subsequently, in view of the

directions of this Court in W.P.No.2361/2025, dt.06.02.2025, 2nd respondent was under obligation to issue fresh notification calling for applications from all the eligible persons to be considered and appointed as Board of Trustees so that all the eligible persons can be appointed. Since, the earlier notification dt.10.10.2024 was not acted upon and subsequently, a temporary committee was constituted with the petitioners, petitioners could not have any opportunity of applying for appointment as Board of Trustees and as the petitioners had the opportunity of serving the Temple as Committee Member for a short period.

6. Learned counsel further submits that by virtue of the orders passed by this Court, 2nd respondent instead of issuing fresh notification calling applications from all the eligible persons, acted unilaterally and appointed respondent Nos.5 to 11 as Board of Trustees to the 4th respondent temple vide its Proceedings No.F5/905/2025, dt.08.04.2025 pursuant to the earlier Notification, dt.10.10.2024, which was ignored and

cancelled by appointing the temporary committee on 25.01.2025 for short period and therefore, this action of the 2nd respondent, without issuing the fresh notification pursuant to the directions of this Court, dt.06.02.2025, considering the candidature of respondent Nos.5 to 11 in pursuance of the initial notification, dt.10.10.2024 and appointing them as Board of Trustees to the 4th respondent Temple vide impugned Proceedings, dt.08.04.2025 is absolutely illegal and contrary to the Section 15 & 17 of the T.S Endowments Act.

7. Learned counsel further submits that this Court never observed in its order dated 06.02.2025 in W.P.No.2361/2025 that 2nd respondent should only consider the applications of the persons, who applied earlier under notification dt.10.10.2024 but 2nd respondent unilaterally appointed respondent Nos.5 to 11 without giving opportunity of making applications by the petitioners and also by all the eligible candidates and therefore, the appointment of respondent Nos.5 to 11 being contrary to the Provisions of Section 15 & 17 of T.S. Endowments Act

as the procedure contemplated under the provisions of Act and Rules are not followed and therefore, the impugned Proceedings are absolutely contrary to law and against the principles of natural justice. Therefore, he seeks to direct 2nd respondent to issue the notification afresh by calling for applications and constitute Trust Board afresh to 4th respondent temple. He further submits that till date respondent Nos.5 to 11 have not taken the oath and anytime 3rd respondent may initiate action to organize the oath ceremony U/s.19 of the Act bypassing the procedure contemplated under Section 15 & 17 of the Act. Hence, he seeks indulgence of this Court.

8. Learned Government Pleader for Endowments appearing for respondent Nos.1 to 3 submits that in order to constitute Trust Board to certain Temples/institutions, the Commissioner, Endowments Department, T.G., Hyderabad vide R.C.NO. F4/12848/2024, dated 10-10-2024, requested the Assistant Commissioner, Endowments Department, Nalgonda to take necessary action for causing publication of the said notification in

any newspaper of (local language) as envisaged under proviso to rule (4) of Appointments of Trustees Rules, 1987. He further submits that the Assistant Commissioner, Endowments Department, Nalgonda vide its letter dated 10.10.2024 in R.C.No.S/5354/2024 directed the Inspector of Endowments Department, Nalgonda District and Executive Officer of the Subject Temple to affix the notification on their respective notice boards. In compliance to the said letter dated 10.10.2024 in R.C.No.S/5354/2024, the Inspector, Endowments Department, Nalgonda Division submitted a letter dated 24.10.2024 in Rc.No.Insp/TB/Bgr/2024, stating that notification dated 10.10.2024 in R.C.NO. F4/12848/2024 was affixed on 15.10.2024 on the notice boards of subject institution, Grampanchayathi of Arvapally village, Thasildar Office, Jajireddygudem Mandal and Assistant Commissioner of Endowments Department, Nalgonda District. He further submits that vide letter dated 05.11.2024 in R.C.No.S/5354/2024 the Assistant Commissioner, Endowment Department, Nalgonda, directed the Inspector, Endowment Department, Nalgonda

District to submit the antecedent reports of the interested applicants to appoint non-hereditary trust board to Sri Yogananda Laxminarsimha Swamy Devasthanam situated at Aravapally Village. He further submits that paper publication was given in Sakshi daily newspaper dated 11.10.2024 of Nalgonda District edition. He further submits that the antecedents report dated 08.01.2025 was submitted to the Commissioner by the Assistant Commissioner through R.C.No.S/5354/2024 dated 09.01.2025, as such the appointment of the respondent Nos.5 to 11 was made strictly in accordance with law. He further submits that only four persons have taken oath out of 7 and rest of the trustees are yet to take oath, further, the persons who have taken the charge are officiating as trustees to the 4th respondent temple. Considering the said facts, learned Government Pleader for Endowments appearing for respondent Nos.1 to 3 and standing counsel for respondent No.4 in one voice submits that the respondent Nos.1 to 4 have strictly adhered to the provisions of Section 15 and 17 of the T.S.Endowments Act. Therefore, they seek to dismiss the Writ Petition.

9. Having heard the all the respective learned counsel and perusing the material available on record, this Court is of the considered view that notification has been issued by the official respondents as envisaged under Proviso to rule (4) of Appointments of Trustees Rules, 1987 as contemplated under provisions of Section 15 & 17 of the T.S.Endowments Act, as such the Writ Petition is misconceived and liable to be dismissed.

10. With the above observation, the Writ Petition is dismissed.

Miscellaneous Petitions, pending if any, shall stand closed.

SD/- B. REKHA RANI
ASSISTANT REGISTRAR
SECTION OFFICER

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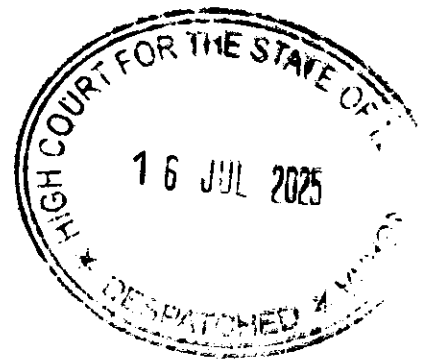
1. The Principal Secretary Endowments Department, Secretariat, T.S.,Hyderabad.
2. The Commissioner of Endowments, Government of Telangana, Boggulakunta, Tilak Road Hyderabad.
3. The Assistant Commissioner, Endowment Department Nalgonda District.
4. One CC to SRI. C. HARI PREETH, Advocate [OPUC]
5. Two CCs to GP FOR ENDOWMENTS ,High Court for the State of Telangana at Hyderabad [OUT]
6. One CC to SRI. CH. SATISH KUMAR, SC [OPUC]
7. One CC to SRI. THOTA YAKAIAH, Advocate [OPUC]
8. One CC to SRI. D.Y.L.N. CHARYULU, Advocate [OPUC]
9. Two CD Copies

B M

Kor

HIGH COURT

DATED:30/04/2025



ORDER

WP.No.11497 of 2025

DISMISSING THE WRIT PETITION WITHOUT COSTS

(12)

Kpr
16/7/25