



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3330]

TUESDAY, THE 28th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 20812/2026

Between:

1. NAMALA VEERRAJU, S/O. LATE N. VENKAT RAO, AGED ABOUT 74 YEARS, PRESENTLY RESIDING AT LIG 104, APIC COLONY, IDA JEEDIMETLA, RANGA REDDY DISTRICT, TELANGANA - 500055

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT- 522238.

2. THE ENDOWMENTS DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, REP BY ITS COMMISSIONER, GOLLAPUDI, VIJAYAWADA, NTR DISTRICT - 521225.

3. SRI MALLESWARA SWAMY VARI DEVASTHANAM, REP BY ITS EXECUTIVE OFFICER -CUM- SPECIAL DEPUTY COLLECTOR, TATHAPUDI VILLAGE, KAPILESWARAPURAM MANDAL, EAST GODAVARI DISTRICT - 533309.

...RESPONDENT(S):

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 a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the in- action of 3rd respondent in not considering my explanation dated 23.07.2026 to the notice under Section 83(2) of the Andhra Pradesh Charitable and Hindu Religious Institutions and

Endowments Act, 1987 dated 17.02.2026 which was received by the petitioner on 20.07.2026 and treating the petitioner as an encroacher and directing to evict from the agricultural land to an extent of Ac. 0.78 cents in Sy. No. 110/3 of Thatapudi Village, Kapileswarapuram Mandal, East Godavari District as illegal, arbitrary, violative of Articles 14, 21 and 300-A of the Constitution of India and contrary to the principles of natural justice and consequently direct the 3rd respondent not to take any coercive steps till the disposal of my explanation dated 23.07.2026 to the notice dated 17.02.2026 which is received on 20.07.2026 and pass

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of notice under Section 83(2) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 dated 17.02.2026 which was received by the petitioner on 20.07.2026 issued by 3rd respondent and consequently direct the respondents not to dispossess the petitioner from the agricultural land to an extent of Ac. 0.78 cents in Sy. No. 110/3 of Thatapudi Village, Kapileswarapuram Mandal, East Godavari District and pass

Counsel for the Petitioner:

1. ANIL KUMAR DASARI

Counsel for the Respondent(S):

1. GP FOR REVENUE

2. GP FOR ENDOWMENTS

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**WRIT PETITION No.20812 OF 2026****ORDER:**

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the in-action of 3rd respondent in not considering my explanation dated 23.07.2026 to the notice under Section 83(2) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 dated 17.02.2026 which was received by the petitioner on 20.07.2026 and treating the petitioner as an encroacher and directing to evict from the agricultural land to an extent of Ac.0.78 cents in Sy.No.110/3 of Thatapudi Village, Kapileswarapuram Mandal, East Godavari District, as illegal, arbitrary, violative of Articles 14, 21 and 300-A of the Constitution of India and contrary to the principles of natural justice and consequently direct the 3rd respondent not to take any coercive steps till the disposal of my explanation dated 23.07.2026 to the notice dated 17.02.2026 which is received on 20.07.2026 and pass such other order or orders....”

2. Heard learned counsel for the petitioner and Sri K.Koteswara Rao, learned Standing Counsel for respondent No.3.

3. The respondents have issued notice dated 17.02.2026, directing the petitioner to vacate from the land admeasuring Ac.0.78 cents situated in Sy.No.110/3 of Tatapudi Village, Kapileswarapuram Mandal, East Godavari District. The petitioner submitted explanation dated 23.07.2026 to the 3rd respondent. However, the respondents have not considered the same.

4. Learned counsel for the petitioner submits that the petitioner is the absolute owner of the property and the respondents have no right or title over

the said property. Learned counsel further submits that procedure is envisaged under Section 83, for eviction, under the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the notice dated 17.02.2026 is not in the form of notice as provided under the Act.

5. Learned counsel for the respondents would submit that notice categorically shows that notice is issued under Section 83 (5) of the Act and the remedy to the petitioner is before the Tribunal under Section 87 of the Act.

6. In view of the above submissions, without going into merits of the matter, the present Writ Petition is disposed of directing the respondents to examine the petitioner's explanation dated 23.07.2026, in a proper perspective, and communicate the decision to the petitioner. Till such time, respondents are directed not to take any coercive steps. If the petitioner is aggrieved by the order of the respondents, petitioner is directed to invoke remedy as per the provisions of the Act. There shall be no order as to costs.

As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 28.07.2026

Note: Issue C.C. by 29.07.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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Date: 28.07.2026

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