Date of reserved for orders : 25.09.2026
Date of pronouncement : 08.10.2026
Date of uploading : 14.10.2026

APHC010037612026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No. 2262/2026

BETWEEN:

1. P MUNIKRISHNA REDDY, S/o. NADAMUNI REDDY, AGED ABOUT 69 YEARS, AGRICULTURIST, R/o. AT AVILALA VILLAGE, TIRUPATI RURAL MANDAL, TIRUPATI DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, DEPT OF ENDOWMENTS, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI.
2. THE COMMISSIONER, ENDOWMENTS DEPARTMENT, OPPOSITE TO S.GRAND RESTAURANT, GOLLAPUDI, VIJAYAWADA 521225
3. THE ASSISTANT COMMISSIONER, ENDOWMENTS DEPARTMENTS, TIRUPATI
4. SRI SWAMY HATHIRAMJI MUTT, TIRUPATI REP. BY ITS ADMINISTRATIVE OFFICER AND DY.COLLECTOR, GANDHI ROAD, TIRUPATI.
5. BRAHMATANTRA SWATANTRA PARAKALA SWAMI MUTT, MYSORE, REP BY ITS MATTADHIPATHI, KRISHNAVILAS ROAD, NEAR JAGANMOHANA PALACE, DEVARAJA MOHALLA AREA, MYSURU-570 004.
6. M JAYALAKSHMI, W/o. LATE KUPPUSWAMY NAIDU AGED 57 YEARS,R/O AT PLOT No.43 AND 44, MK NAIDU COLONY, BHAIRAGIPATTEDA, TIRUPATI TOWN, TIRUPATI DISTRICT.

7. M CHAKRADHAR CHOWDARY, S/o. LATE M.KUPPUSWAMY NAIDU AGED 61 YEARS, R/o. AT PLOT No.43 AND 44, MK NAIDU COLONY, BHAIRAGIPATTEDA, TIRUPATI TOWN, TIRUPATI DISTRICT.
8. M UDAYA BHASKAR CHOWDARY, S/o. LATE KUPPUSWAMY NAIDU AGED 58 YEARS, R/o. AT PLOT No.43 AND 44, MK NAIDU COLONY, BHAIRAGIPATTEDA, TIRUPATI TOWN, TIRUPATI DISTRICT.
9. M ARUNA JYOTHI, W/o. MEDASAI MOHAN D/o. M.KUPPUSWAMY NAIDU, AGED 56 YEARS, R/o. AT PLOT No.45, MK NAIDU COLONY, BHAIRAGIPATTEDA, TIRUPATI TOWN, TIRUPATI DISTRICT.

...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 in the nature of a writ of mandamus or any other appropriate writ, direction, order or orders declaring the action of the 4th respondent herein in issued the notice under 83(2) of the AP Charitable and Hindu Religious Institutions and Endowments Act 30/1987 dt.20-01-2026 (received on 22-01-2026) directed the petitioner to call for the explanation as within 7 days from the date of receipt of the notice, why should not be treated as encroacher of the lands in an extent of Ac.2-00 cents out of total extent of Ac.12-89 1/2 cents in part and parcel of Sy.No.147/1 situated at Avilala village, Tirupati Rural Mandal, Tirupati District which was fell to the share of unofficial respondents as per the registered partition deed dt.23.04.1999 as wholly arbitrary, illegal and without jurisdiction and void and violated the principles of natural justice and affected his rights guaranteed under article 14, 19(1)(g), 21 and 300(A) of the Constitution of India and consequently, to set aside the notice dt.20-01-2026 (received on 22-01-2026) issued by the 4th respondent Mutt in respect of the land in an extent of Ac.2-00 cents out of 12- 89 1/2 in part and parcel of Sy.No. 147/1 of Avilala village accounts, Tirupati Rural Mandal, Tirupati District which is fell to the share of unofficial respondents by virtue of registered partition deed dt.23-04-1999 and pass such other order or orders.

Counsel for the Petitioner:

1. VEERAPANENI TARUN KUMAR CHOWDARY

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

The Court made the following:

ORDER:

The 4th respondent issued notice 20.01.2026 under Section 83(2) of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short hereinafter called Act 30/1987), dated 20.01.2026 which was received by the petitioner on 22.01.2026, calling for an explanation within 7 days from the date of receipt of the notice, why the petitioner should not be treated as encroacher of the lands in an extent of Ac.2-00 cents out of total extent of Ac.12-89½ cents in part and parcel of Sy.No.147/1 situated at Avilala village, Tirupati Rural Mandal, Tirupati District and should evict from the subject land.

2. The present writ petition was filed under Article 226 of the Constitution of India to issue a writ, particularly one in the nature of a writ of mandamus or any other direction, order or orders questioning the notice dated 20.01.2026 received on 22.01.2026 issued by the 4th respondent-Mutt in respect of the land in an extent of Ac.2-00 cents out of Ac.2-89½ in part and parcel of Sy.No. 147/1 of Avilala village accounts, Tirupati Rural Mandal, Tirupati District, on the ground that the said land was fell to the share of unofficial respondents as per the registered partition deed dated 23.04.1999. As the land given not belongs to the 4th respondent-Mutt the said action the respondents No.1 to 4 is wholly arbitrary, illegal and without jurisdiction and void

and violated the principles of natural justice and affected his rights guaranteed under Articles 14, 19(1)g,21 and 300-A of the Constitution of India and consequently to set aside the notice dated 20.01.2026 received on 22.01.2026 issued by the 4th respondent-Mutt in respect of the land in an extent of Ac.200 cents out of Ac.12-89½ in part and parcel of Sy.No.147/1 of Avilala village accounts, Tirupati Rural Mandal, Tirupati District, which is fell to the share of unofficial respondents by virtue of registered partition deed dated 23.04.1999 and the respondents 1 to 4 have no right, title over the subject property of the writ petition.

3. It is the contention of the writ petitioner that out of total extent of Ac.48.60 cents in Sy.Nos.145, 147/1, 148/2, 321 and 323 to an extent of Ac.12-89½ in part and parcel of Sy.No.147/1 of Avilala village accounts, Tirupati Rural Mandal, Tirupati District, fell to the share of the of 5th respondent-Mutt i.e., Parakalaswami Mutt. One Manikonda Kuppuswamy Naidu's family has purchased the property from 5th respondent-Mutt and the fact was clearly stated in the Partition Deed dated 23.04.1999 registered vide document No. 2656/1999, registered at the officer of the Sub-Registrar at Tirupati. Therefore, the 4th respondent has no right in the property, cannot issue the impugned notice dated 22.01.2026 under Section 83(2) of the Act 30/1987. The said fact was not brought to the notice of the

respondents before the Deputy Commissioner, Endowments Department or in O.A. 4 of 1997.

4. At the request of the writ petitioner, W.P. No. 2262 of 2026 was tagged along with C.M.A.No.385 of 2011. It appears that on the permission accorded by My Lord the Hon'ble the Chief Justice, dated 24.06.2026, the Registry tagged the writ petition along with C.M.A. and posted both the matters together before this Court. Heard and disposed analogously both the Civil Miscellaneous Appeal and Writ Petition with same observation, vide separate orders.

5. This Court vide order dated 08.10.2026 has dismissed the C.M.A No. 385 of 2011 holding that the petitioner was an encroacher as he has not possessed any valid lease from the 4th respondent-Hatiramji Mutt. The observation that made in the C.MA. No. 385 of 2011, is applicable to this writ petition.

6. In view of dismissal C.MA. No. 385 of 2011, the writ petition is dismissed. There shall be no order as to costs.

As a sequel, interlocutory applications, if any, pending in this writ petition shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 08.10.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

W.P.No. 2262 OF 2026

Date: 08-10-2026

Harin