

Andhra Pradesh High Court - Amravati

Heard Sri Venkata Sailendra ... vs Government Pleader For ... on 30 May, 2023

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Main Case : Writ Petition No. 13629 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	30.05.2023	DUPPALA VENKATA RAMANA, J	

W.P.No. 13629 of 2023

Notice Before Admission.

I.A.No. 1 of 2023

Heard Sri Venkata Sailendra Gudapati, learned counsel representing Sri Venkateswara Rao Gudapati, learned counsel for the petitioner, Ms.P.Rajani Reddy, learned Government Pleader for Endowments appearing for respondent Nos.1, 2 and 4 and

Sri Jagadish, learned counsel representing Ms.P.Padmavathi, learned Standing Counsel for respondents 3 and 6 and perused the material available on record.

2. Learned counsel for the petitioner would submit that without giving any opportunity to the petitioner, the 5th respondent-temple is making efforts to demolish the temple structures and to reconstruct the same by moving the deity from sanctum sanctorum to flagstaff (dwajastambham). He further argued that no Expert's report is filed with regard to the soundness and strength of the structures of the temple and that the sanctum sanctorum, structures of the temple need not be demolished in the absence of the Expert's report and therefore, intervention of this Court is sought for.

3. Learned Government Pleader for Endowments submitted that the main deity (idol) will not be shifted from the sanctum sanctorum and will not be touched and the main deity will be in tact in the sanctum sanctorum. It is further submitted that the structural conditions of the sanctum sanctorum is in a weak condition and needs to be rebuild. She further submitted that instructions were received from the concerned authorities in this regard and accordingly, undertaking may be recorded to that effect.

4. A perusal of the record, it appears that the soundness and strength of the structure of the 5th respondent-temple needs to be examined by the expertise committee.

5. Having regard to the facts and circumstances of the case and considering the submissions of the counsels appearing for the parties, this Court prima facie satisfied that the petitioner has shown sufficient cause and it is a fit case to grant of interim direction.

6. Accordingly, IA No.1 of 2023 is allowed and status quo obtaining as on date with regard to the 5th respondent-temple shall be maintained till 13.06.2023.

7. List the matter on 13.06.2023.

8. In the meanwhile, the respondent authorities shall file Expert's Report and counter-affidavit, if any.

_____ DUPPALA VENKATA RAMANA, J AKN