

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

THURSDAY, THE TWELFTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION (PIL) (SR) No: 34145 OF 2024

Between: —

1. S. Indira Devi, W/o. S. Isaac, Aged 63 years, Occ: House Wife, R/o. H.No.64-43-17A, Balasaibaba Mandiram, Kurnool, Andhra Pradesh – 518001.
2. Sandhe Vinod Kumar, S/o. Sandhe Isaac, Aged 42 years, R/o. H.No.64-43-17A, Saibaba Nagar, Balasaibaba Ashramam, Kurnool, Andhra Pradesh-518001.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Endowments Department, Secretariat, Hyderabad – 500022.
2. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad – 500022.
3. The Chief Commissioner of Land Administration, Telangana State, Nampally, Hyderabad - 500012
4. The Commissioner, Endowments Department, Telangana State, Boggulakunta, Tilak Road, Hyderabad – 500001.
5. The Inspector General, Registration & Stamps Department, 5-3-953, Mozamjahi Market, Hyderabad - 500095
6. The District Collector, Ranga Reddy District at Kongarakalan Village, Ibrahimpatnam, Ranga Reddy District - 501510
7. The Revenue Divisional Officer, Rajendernagar Division, 51, Inner Ring Road, Sai Hill Colony, Rambagh Colony, Hyderabad, Telangana - 500030
8. The Mandal Revenue Officer, Door No.2-54/A, Serilingampally Mandal, Hyderabad - 500019
9. The District Registrar, Ranga Reddy District, 1st & 2nd Floor, Soni Complex, Prashanthi Nagar, Kukatpalli, IDA, Hyderabad - 500072
10. The Sub Registrar, Sub Registrar Office, Serilingampalli, Ranga Reddy District, Telangana - 500035

11. Bhagawan Sri Balasaibaba Central Trust, Rep. by its Managing Trustee, D.No.1-2-593/8, Bhagawan Sri Balasaibaba Ashram, Hyderabad - 500029
12. T.Rama Rao, S/o. T. Surya Narayana, Trustee of the 11th respondent, D.No.1-2-593/8, Domalguda, Bhagawan Sri Balasaibaba Ashram, Hyderabad - 500029
13. K.Ushasree. W/o. Late K. Ramesh Babu. Trustee of the 11th respondent, Aged 63 years, Occ: House wife, Present Address D.No.1-2-593/8 Domalguda, Ganganmahal Colony, Hyderabad - 500009
14. M/s Bhupathi Associates, Rep. by its Managing Partner, Sri B.V. Siva Rama Raju, D.No.4-5-32/56, Opposite to Little Flower School, 1st Lane, Vidyanagar, Guntur - 522007.
15. Bhupathi Raju Sowmya, D/o. B.V. Sivarama Raju, Aged 37 years, R/o. 4-5-32/56, Vidyanagar, 1st Lane, Guntur - 522007
16. Bhupathi Raju Appalla Narasimha Raju, S/o. B.V. Sivarama Raju, aged 40 years, R/o. 4-5-32/56, Vidyanagar, 1st Lane, Guntur - 522007.
17. Bhupathi Raju Jhansi Lakshmi, W/o. B.V. Sivarama Raju, aged 60 years, R/o. 4-5-32/56, Vidyanagar, 1st Lane, Guntur - 522007.

...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 orders, or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the official respondents in substituting the words M/s Bhupati Associates by replacing Bhagawan Sri Bala Saibaba Central Trust besides rectification of extents in Survey Numbers by issuing G.O.Ms.No.45, Revenue (ULC) Department, dated. 06-05-2023 as illegal, arbitrary, unconstitutional besides violative of Section 80(1)(a) of the Telangana Charitable and Hindu Religion Institutions and Endowments Act, 1987, Article 14, 21 of the Constitution of India consequently set aside the same with all consequential entries in pattadar passbook, ROR-1B Register etc and restore the G.O.Ms.No.2065, Revenue (UC.II) Department. dated. 29-11-2005.

Counsel for the Petitioners: SRI T. KUMAR BABU

Counsel for the Respondent No.1 & 4: GP FOR ENDOWMENTS

Counsel for the Respondent No.2,6,7 & 8: GP FOR REVENUE

Counsel for the Respondent No.3: GP FOR LAND ADMINISTRATION

Counsel for the Respondent No.5,9 & 10: GP FOR STAMPS & REGISTRATION

Counsel for the Respondent No.11 to 17: - - - -

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION (PIL) (SR) No.34145 of 2024

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. T.Kumar Babu, learned counsel for the petitioners.

2. Heard on the question of admission.

3. The petitioner No.1 claims to be the sister and petitioner No.2 is the nephew of Late Bhagawan Sri Bala Sai Baba. Initially, the petitioners had filed a public interest litigation, namely W.P (PIL)(SR).No.48549 of 2023. A Division Bench of this Court, while dealing with the aforesaid public interest litigation, passed the following order on 05.01.2024.

“Mr. Baglekar Akash Kumar, learned counsel for the petitioners.

Mr. S.Venkat Ramana, learned Government Pleader for Endowments for respondent Nos.1 and 4.

Mr. T.Srikanth Reddy, learned Government Pleader for Revenue for respondent No.2.

Dr. J.Vijaya Laxmi, learned Government Pleader for Land Acquisition for respondent No.3.

After arguing the matter to some extent, learned counsel for the petitioners seeks leave of this Court to convert this public interest litigation as a writ petition as the petitioners are the persons aggrieved by the order dated 06.05.2023 passed by the Revenue Department of Government of Telangana.”

4. In compliance of the order passed by the Division Bench of this Court in W.P (PIL)(SR).No.48549 of 2023, the petitioners converted the public interest litigation into a writ petition, namely W.P.No.2046 of 2024. The learned Single Judge, by an order dated 11.07.2024, has dismissed the writ petition, *inter alia*, holding as under:

“4. Perusal of the record would reveal that “Bhagavan Sri Bala Saibaba Central Trust” is claiming right over the subject property. According to Sri M.Pratheek Reddy, learned counsel appearing on behalf of the Trust, after death of Bhagavan Sri Bala Saibaba, in the year 2018, as on today, there are two trustees i.e., respondent Nos.12 and 13, namely Mr.T.Rama Rao and Smt.K.Usha Shree. Therefore, the said trust members have to file the present Writ Petition. Petitioners cannot file the present Writ Petition claiming the relief sought in the present Writ

Petition just because they are sister and nephew of Bhagavan Sri Bala Saibaba.

5. In view of the aforesaid discussion, this Court is of the considered view that petitioners have no locus to file the present Writ Petition claiming the relief as sought.

6. Accordingly, the Writ Petition is dismissed. However, liberty is granted to the petitioners to take appropriate steps in accordance with law. There shall be no order as to costs."

5. Thereafter, the petitioners once again filed this public interest litigation. The office thereupon has taken an objection with regard to the maintainability of the public interest litigation.

6. Learned counsel for the petitioners submitted that the Division Bench of this Court held that the petitioners are aggrieved and therefore, the public interest litigation cannot be entertained. Thereafter, the petitioners have converted the public interest litigation as a writ petition. However, the learned Single Judge has held that the petitioners have no locus to file the petition. Therefore, the

petitioners have filed this public interest litigation, which may be registered and justice be given to the petitioners.

7. We have considered the submissions made by the learned counsel for the petitioners and have perused the record.

8. The order dated 05.01.2024 passed by this Court in W.P(PIL)(SR).No.48549 of 2023 was accepted by the petitioners and in pursuance of the aforesaid order, they converted the public interest litigation into a writ petition. In the absence of any further challenge to the order dated 05.01.2024 passed in W.P (PIL)(SR).No.48549 of 2023, the said order binds the petitioners, as the petitioners have acted upon the said order and have converted the public interest litigation into writ petition. The appropriate remedy for the petitioners, in the facts and circumstances, is to challenge the order dated 11.07.2024 by way of a writ appeal.

9. For the aforementioned reasons, the public interest litigation is disposed of with the liberty to the petitioners to

file an appeal against the order dated 11.07.2024 passed by the learned Single Judge.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

SD/-N. SRIHARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

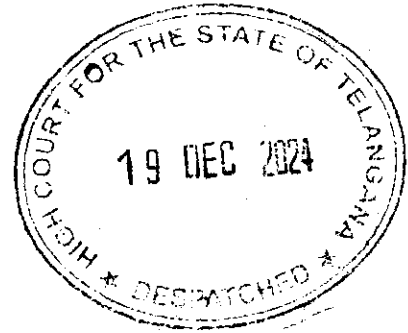
1. The Principal Secretary, Endowments Department, The State of Telangana, Secretariat, Hyderabad – 500022.
2. The Principal Secretary, Revenue Department, The State of Telangana, Secretariat, Hyderabad – 500022.
3. The Chief Commissioner of Land Administration, Telangana State, Nampally, Hyderabad - 500012
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10. The Sub Registrar, Sub Registrar Office, Serilingampalli, Ranga Reddy District, Telangana - 500035
11. One CC to SRI T. KUMAR BABU, Advocate [OPUC]
12. Two CCs to GP FOR ENDOWMENTS, High Court for the State of Telangana. [OUT]
13. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
14. Two CCs to GP FOR LAND ADMINISTRATION, High Court for the State of Telangana. [OUT]
15. Two CCs to GP FOR STAMPS & REGISTRATION, High Court for the State of Telangana. [OUT]
16. Two CD Copies

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GJP

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HIGH COURT

DATED:12/09/2024



ORDER

WP(PIL) (SR) No.34145 of 2024

**DISPOSING OF THE WRIT PETITION (PIL) (SR)
WITHOUT COSTS**

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