HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 1404 OF 2024

Writ Appeal under clause 15 of the Letters Patent Appeal preferred against the Order dated 30.09.2024 in W.P.No.23388 of 2024 on the file of the High Court.

Between:

1. Smt M.Rajarani Bai, D/o. late Kunwar Lal, Rep.by GPA Holder Moriya Anil Singh, S/o.Late M.Jeevan Singh, Aged 49 years, Occ. Business, R/o.H.No.13-6-407/1, Ram Singh Pura, Opp. Kachi Bhavan, Karwan, Asif Nagar, Hyderabad.
2. Smt H.Sharda Bai, D/o. late Kunwar Lal, Rep.by GPA Holder Hardiya Jagath Singh, S/o. late H.Laxman Singh, aged 46 years, Occ. Business, R/o.H.No.13-6-373/A, Ram Singh Pura, Near Balaji Mandir, Karwan, Hyderabad.
3. Hardiya Kishan Singh, S/o. late H.Papalal, Aged 60 years, Occ. Govt. Servant (Postal Dept)., R/o. H.No.13-6-391, Ram Singh Pura, Near Balaji Mandir, Karwan, Asif Nagar, Hyderabad.

...APPELLANTS

AND

1. The State of Telangana, Represented by its Principal Secretary, Endowments Departments, Secretariat, Hyderabad, Telangana State.
2. The Commissioner, Endowments Department, Boggulakunta, Hyderabad, Telangana State.
3. The Deputy Commissioner, Endowment Department, Hyderabad, Telangana State.
4. The Assistant Commissioner, Endowment Department, Hyderabad, Telangana State.
5. The District Collector, Hyderabad, Telangana State.
6. The Mandal Revenue Officer, Asif Nagar Mandal, Hyderabad – 500 057, Telangana State.

...RESPONDENTS

IA NO: 1 OF 2024

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 direct the respondents herein not to interfere with respect to the subject land i.e. 5831 Sq.yards in Survey Nos. 2 and 3 in Kulsumpura Village, Asif Nagar Mandal, Hyderabad belonging to us i.e. the petitioners herein.

Counsel for the Appellants: SRI K. SAI RAMA MURTHY, REPRESENTING SRI AYYAGARI JAYASHREE

Counsel for the Respondents No.1 to 4: SRI BHUKYA MANGILAL NAIK, GP FOR ENDOWMENTS

Counsel for the Respondent Nos.5 & 6: GP FOR REVENUE

The Court made the following: JUDGMENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.1404 of 2024

JUDGMENT: *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Sri K.Sai Rama Murthy, learned counsel appearing for Ms.A.Jayashree, learned counsel for the appellants and Sri Bhukya Mangilal Naik, learned Government Pleader for Endowment Department, for respondent Nos.1 to 4.

2. Learned counsel for the appellants advanced singular contention. He fairly submits that the relief claimed by the appellants, who were petitioners in the writ petition, was vague and ambiguous. Thus, the appellants may be given liberty to file a fresh writ petition which is properly constituted.

3. The prayer is opposed by the other side by contending that the writ Court while dismissing the writ petition granted liberty to the appellants to approach the Endowments Tribunal for the present grievance.

4. Faced with this, learned counsel or the appellants submits that if the documents filed with the writ petition are examined thoroughly, this Court itself can interfere in the matter.

5. Learned Government Pleader for Endowment Department placed reliance on a recent judgment passed by this Court in W.A.No.580 of 2025 which was decided on 13.06.2025.

6. No other point is raised before us.

7. During the course of hearing, when a specific question was raised by this Court that when Endowments Tribunal for the purpose of deciding the disputes relating to the Telangana Charitable and Hindu Religious Institutions and Endowments Act, 1987, is in place which can deal with both factual and legal aspects, why this Court should short circuit the said remedy and directly entertain the petition, learned counsel for the appellants submits that the petition is indeed maintainable and this Court, after perusal of the record, can decide the matter.

8. Merely because the petition is maintainable, it is not necessary for this Court to "entertain the same". The "entertainability" and "maintainability" are two different facets. No

amount of argument can be advanced as to why the aforesaid remedy before the Endowments Tribunal is not efficacious. In view of the statutory efficacious remedy available to the appellants before the Endowments Tribunal and in view of the judgment passed by this Court in W.A.No.580 of 2025, we find no reason to interfere in this appeal. Liberty as granted by the writ Court shall remain intact for the appellants to approach the Endowments Tribunal.

9. Accordingly, the writ appeal is **disposed of**. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/- V.KAVITHA
DEPUTY REGISTRAR

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SECTION OFFICER

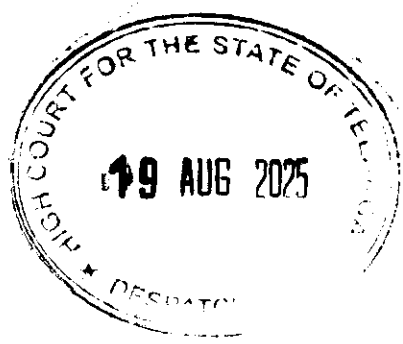
To,

1. The Principal Secretary, Endowments Departments, State of Telangana, Secretariat, Hyderabad, Telangana State.
2. The Commissioner, Endowments Department, Boggulakunta, Hyderabad, Telangana State.
3. The Deputy Commissioner, Endowment Department, Hyderabad, Telangana State.
4. The Assistant Commissioner, Endowment Department, Hyderabad, Telangana State.
5. The District Collector, Hyderabad, Telangana State.
6. The Mandal Revenue Officer, Asif Nagar Mandal, Hyderabad – 500 057, Telangana State.
7. One CC to SRI AYYAGARI JAYASHREE, Advocate [OPUC]
8. Two CCs to GP for Endowments, High Court for the State of Telangana at Hyderabad. [OUT]
9. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
10. Two CD Copies

MP

HIGH COURT

DATED:17/06/2025



JUDGMENT

WA.No.1404 of 2024

DISPOSING OF THE WRIT APPEAL

WITHOUT COSTS

(14)
16/7/25