HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND

THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 580 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 17/03/2025 in W.P.No.6375 of 2024 and pass on the file of the High Court.

Between:

Sri Sudheer Kumar Tiwari, S/o. Sri Devi Prasad, Aged about 41 years, Occ; Business, R/o.13-1-1133, Upper Dhoolpet, Hyderabad.

.....APPELLANT/PETITIONER

AND

1. The State of Telangana, Secretariat, Hyderabad, Rep by Principal Secretary (Endowments)
2. Commissioner of Endowments, Government of Telangana, Bogulkunta, Hyderabad.
3. Assistant Commissioner of Endowments, Bogulkunta, Hyderabad.

.....RESPONDENTS

I.A.NO:1 OF 2025

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 not to interfere in the property bearing D. No. 13-3-395, in Sy. No.71/E, Imampura, Jiyaguda, Hyderabad, pending disposal of the writ appeal.

Counsel for Appellant : SRI ASHOK ANAND KUMAR, LEARNED SENIOR COUNSEL REPRESENTING SRI N.GANGADHAR

Counsel for Respondents : SRI BHUKYA MANGILAL NAIK, GP FOR ENDOWMENTS

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.580 of 2025

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

Sri Ashok Anand Kumar, learned Senior Counsel represents Sri N. Gangadhar, learned counsel for the appellant and Sri Bhukya Mangilal Naik, learned Government Pleader for Endowments, for the respondents.

2. Heard on admission.

3. Learned Senior Counsel for the appellant submits that although there exists an alternative remedy before the Endowments Tribunal, in the facts of the present case, the writ Court was not justified in relegating the appellant to avail the alternative remedy. To bolster this submission, it is submitted that the Abstract of Endowment (Muntakhab Kitabul Waqf) (page No.90) does not reflect the boundaries and in this backdrop, even as per this document, it cannot be said that the document covers the property of the appellant.

4. The other side opposed the prayer and supported the impugned order dated 17.03.2025 passed by the learned Single Judge.

5. The existence of statutory alternative remedy is not in dispute. The Endowments Tribunal is a specialized Tribunal and is best suited to examine the location and existence of property etc. The question of boundaries and other factual aspects can also be gone into by the Endowments Tribunal. In this backdrop, in our view, learned Single Judge has taken a plausible view which does not warrant interference in *intra*-court appeal.

6. Accordingly, this Writ Appeal fails and is hereby **dismissed**. However, liberty is reserved to the appellant to approach the Endowments Tribunal. No costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/-V.KAVITHA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to GP FOR ENDOWMENTS, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI N.GANGADHAR, Advocate [OPUC]
3. Two CD Copies

SA
GJR

HIGH COURT

DATED:13/06/2025



JUDGMENT

WA.No.580 of 2025

DISMISSING THE W.A

WITHOUT COSTS.

