



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

Bench
Sr.No:-
LM-2
[3483]

WRIT APPEAL NO: 1019 of 2025

Society for Vibrant Vijayawada

...Appellant

Vs.

The State of Andhra Pradesh and others

...Respondents

Advocate for Appellant : Mr. B. Adinarayana Rao, Sr. Counsel,
appearing vice Mr. N. Ashwani Kumar

Advocates for Respondents : Mr. K. S. Murthy, Sr. Counsel,
appearing vice Mr. J. V. Phaniduth

GP for Revenue

Mrs. Pulipati Radhika

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI**

DATE : 17th September 2025

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The present Writ Appeal, under Clause 15 of the Letters Patent, has been preferred against the order impugned, dated 16.09.2025, passed in W.P.No.25073 of 2025.

2. It appears that the land belonging to Sri Venkateswara Swamy Temple, Godugupeta, Machilipatnam, Krishna District, measuring approximately Ac.35.00 cents is sought to be given to the appellant herein for a period of 56 days on payment of Rs.45,00,000/-. The purpose for granting this permission for the limited period is for enabling the appellant to conduct

an exhibition. The Executive Officer of the Temple having considered the desirability and the resolution passed by the Trust Board agreed to offer the land in question on payment of the license fees as stated hereinabove to the appellant herein.

3. It is not out of place here to mention that there were tenants who were already in possession of various parcels of land constituting this plot of Ac.35.00 cents to whom the appellant claims were paid separate sums of money in accordance with various agreements that were individually executed between the appellant and the said tenants.

4. It is stated that as per the terms and conditions of the agreements entered into between the appellant and the tenants, the land in question was to be handed over back to the said tenants in regard to the extent of the possession that was individually taken over from them after the expiry of the said period.

5. The apprehension of the petitioners as expressed before the learned single Judge in the Writ Petition was that the methodology adopted by the appellant herein would only be the beginning for others to slowly and steadily take over the temple properties in gross violation to the accepted conditions of alienation of temple properties as is contained in G.O.Ms.No.211, Revenue (Endts.II) Department, dated 17.06.2015, apart from violating the statutory rules on the subject to which however no reference has been made by learned counsel for the petitioners.

6. On a perusal of G.O.Ms.No.211, dated 17.06.2015, it can be seen that the same make a reference to the ban imposed in the year, 2008, by this Court on sale of temple lands.

7. It is in that backdrop that the Government after careful consideration directed by virtue of G.O.Ms.No.211 that no proposal for transfer/sale/alienation of Devasthanam lands shall be made by any Department either for any routine public purpose or for the purpose of giving it to a private party and further that if for any reason a particular land belonging to a Hindu temple or charitable trust had to be acquired, then the District Collectors/Heads of Departments shall simultaneously send proposals to allot Government land to such temple and that alternate land ought to be of equivalent value which could be put to use by the temple to generate a regular stream of income.

8. On a perusal of the G.O. supra, it can be seen that the same was issued with a view to prevent such transactions which had the effect of depriving the temples of losing their valuable asset.

9. It is in that context that the G.O. envisaged that no proposals ought to be made in for any routine public purpose or for purposes of giving it to a private party. The whole intention was to prevent any loss of landed asset on a permanent basis which would otherwise cause a loss to the temple.

10. In the present case, it can be seen that the proposal was accepted by the temple authorities considering the fact that it would make an

amount of Rs.45,00,000/- for as short a period as 56 days whereafter the land would stand reverted to the temple or its tenants as the case would be.

11. The apprehension expressed by Mr. K. S. Murthy, learned Senior Counsel appearing for the petitioners, is that the appellant was undertaking operations over the land in question which would permanently change the character of the land which was currently agriculture in nature, which would prevent the temple from earning revenue over the same, Mr. B. Adinarayana Rao, learned Senior Counsel appearing for the appellant, however stated that his clients would undertake to restore the land in question in the same shape and form as it was at the time when the possession of land was taken for utilizing it during that limited period.

12. We are conscious of the fact that while the petitioners who claim to be devout hindu and is concerned about ensuring that the temple properties are not lost, sold or alienated, which would otherwise cause any loss to the temple, we find that apart from raising an issue, the petitioners have not brought on record anything as to what was the total revenue earned by the temple through various sources over a period of time and whether handing over the plot of land for a limited purpose to the appellant even when an enormous amount of Rs.45,00,000/- was being paid to the temple authorities would amount to causing a loss to the temple authorities.

13. In the absence of any such data which to our mind was very much material, we find that the issues raised in the petition might just be for

academic purposes and nothing else. However, with a view to not prejudice the outcome of the proceedings which are pending before the learned single Judge, we do not wish to make any further observations except to the extent that the order impugned, dated 16.09.2025, deserves to be stayed till such time as all the issues are considered by the learned single Judge in the writ petition *supra*.

14. All issues which are otherwise highlighted by the petitioners before us or for that matter before the learned single Judge shall remain open. Any observation made by us today in the present order would not in any way affect the outcome which may be arrived at independently by the learned single Judge.

15. This Writ Appeal is, accordingly, disposed of. No costs.

Consequently, connected miscellaneous applications pending, if any, shall stand closed.

DHIRAJ SINGH THAKUR, CJ

RAVI CHEEMALAPATI, J

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**HON'BLE MR. JUSTICE DHIRAJ SINGH THAKUR, CHIEF JUSTICE
&
HON'BLE MR. JUSTICE RAVI CHEEMALAPATI**

W.A.No.1019 of 2025

Dt: 17.09.2025

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