



I.A. No.2 of 2026
IN/AND
WRIT APPEAL NO: 533 of 2026

Godavarthi Srinivasacharyulu

...Appellant

Vs.

D. S. S. Subrahmanyam Somayaji and others

...Respondents

Advocate for appellant : Mr. D. V. Sasidhar

Advocates for respondents : Mr. K. R. Srinivas – R-1,
learned Government Pleader for
Endowments – R-2 & R-3.

CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE NINALA JAYASURYA

DATE : 1st May 2026**LISA GILL, CJ.**

Learned counsel for applicant submits that applicant in I.A. No.2 of 2026 is adversely affected by order dated 30.03.2026 passed by learned Single Bench in W.P.No.8102 of 2026. He was, however, not even impleaded as party thereto. Moreover, present applicant, on earlier occasion, has already filed W.P.No.35122 of 2025 challenging Circular dated 10.11.2010, implementation of which has been directed *vide* order dated 30.03.2026.

2. W.P.No.35122 of 2025 is still pending adjudication. The same has not been brought to notice of learned Single Bench at the time of passing order

dated 30.03.2026. It is in these circumstances that present application seeking leave to file appeal has been filed.

3. Learned counsel for respondents are unable to deny the factual aspects as above. Leave to appeal is afforded and I.A. No.2 of 2026 is, accordingly, allowed.

4. Present appeal has been filed for setting aside order dated 30.03.2026 passed by learned Single Bench whereby writ petition filed by respondent number No.1/writ petitioner has been disposed of while directing respondents to follow guidelines framed under Circular Memo dated 10.11.2010 issued by Endowments Department, and Pramanika dated 20.12.2024 issued by Jagadguru Shankaracharya of Sringeri Sharada Peetham.

5. Respondent No.1/writ petitioner filed Writ Petition No.8102 of 2026 seeking inaction on the part of respondents in not following above said Circular dated 10.11.2010 and Pramanika dated 20.12.2024 issued by Jagadguru Shankaracharya of Sringeri Sharada Peetham to be declared illegal, arbitrary and contrary to Section 13 of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

6. Learned Single Bench, on considering the facts and circumstances as well as order dated 18.09.2025 passed by this High Court in W.P. No.41481 of 2022 besides stand of official respondents that they shall follow Circular Memo dated 10.11.2010 issued by Endowments Department, and Pramanika

dated 20.12.2024, disposed of said writ petition while directing respondents to follow said Circular as well as Pramanika.

7. Grievance raised in writ petition was that as per Circular dated 10.11.2010, Archakas who had gone abroad are not eligible to perform Archakatwam at sanctum sanctorum of temple(s).

8. Learned counsel for appellant submits that present appellant was not even impleaded as party to writ petition though it was very well in knowledge of writ petitioner that present appellant was arrayed as respondent No.4 in W.P. No.41481 of 2022 filed by writ petitioner, reference of which was specifically given by writ petitioner in W.P.No.8102 of 2026. W.P. No.41481 of 2022 had been filed for setting aside action of official respondent in promoting present appellant and another (since deceased as Pradhana Archaka in Sri Varaha Lakshmi Narasimha Swamy Vari Devasthanam) vide proceedings dated 18.09.2022 based on final seniority list dated 12.09.2022 purportedly without considering objections filed by petitioner therein.

9. Ground raised was that in terms of Circular dated 10.11.2010, an Archaka of a temple is not permitted to go abroad and if such permission is given, he cannot be allowed to perform Archakatwam in Garbhalayam of main temple. Matter was remanded to competent authority for passing orders afresh in terms of Circular dated 10.11.2010 after affording due opportunity to

petitioner therein as well as present appellant and another within one month from date of receipt of copy of order.

10. Learned counsel for appellant submits that complete facts were not brought before learned Single Judge. It was never brought to notice of learned Single Judge that pursuant to passing of order dated 18.09.2025, order dated 27.11.2025 was passed by Deputy Commissioner. It is specifically held therein that present appellant had gone to United States of America after obtaining necessary permission and orders from Commissioner of Endowments. Firstly, on 07.08.2001, on loss of pay in the cadre of Paricharaka, he went for a period of one year. Subsequently, appellant again was given permission to go abroad from time to time up to 23.08.2006 on loss of pay. Circular dated 10.11.2010 was passed subsequently and would have no application to the case of appellant, who had gone abroad prior to coming into force of the same.

11. It is vehemently argued that all these facts were never brought to notice of Court even by official respondents for reasons best known to them. Furthermore, present appellant had earlier filed W.P. No.35122 of 2025 challenging validity of Circular dated 10.11.2010 itself being illegal, arbitrary and unconstitutional. Said writ petition along with W.P. No.36643 of 2025 is also pending adjudication before this High Court but none of these facts were brought to notice of learned Single Bench even by official respondents though

said proceedings are very well within their knowledge. It is thus prayed that this appeal be allowed as prayed for.

12. Learned counsel for respondent No.1/writ petitioner, while refuting arguments raised on behalf of appellant, submits that Circular Memo No.21 dated 10.11.2010 is in accordance with law and has thus been rightly directed to be implemented. However, he is unable to deny that the question of this memo itself being violative of principles of natural justice or any applicable law is, in fact, subject matter of W.P. No.35122 of 2025, which was filed prior to W.P. No. 8102 of 2026 in which question of validity of Circular in question is not involved. Writ Petition No.35122 of 2025 is admittedly pending adjudication.

13. In the given factual matrix, it is apparent that complete facts, which have a material bearing on the controversy at hand, were not brought to notice of learned Single Judge at the time of decision. Order dated 30.03.2026, thus, is not sustainable. Keeping in view facts and circumstances as above, the matter is remanded to learned Single Judge to consider entire controversy at hand in a wholesome manner after taking into account factual aspects as detailed above.

14. Appellant is at liberty to file appropriate applications before learned Single Bench for bringing on record all relevant facts. It is clarified that there is

no expression of opinion on merits of matter, which is, within realm of consideration by learned Single Bench.

15. Writ Appeal is, accordingly, disposed of with above said directions. No costs.

Pending miscellaneous applications, if any, shall stand closed.

LISA GILL, CJ

NINALA JAYASURYA, J

AMD

**HON'BLE MRS.JUSTICE LISA GILL, CHIEF JUSTICE
&
HON'BLE MR. JUSTICE NINALA JAYASURYA**

**I.A. No.2 of 2026
IN/AND
WRIT APPEAL NO: 533 of 2026**

DATE : 01.05.2026

AMD