

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH  
AT HYDERABAD

MONDAY, THE TWENTY SIXTH DAY OF SEPTEMBER  
TWO THOUSAND AND ELEVEN  
:PRESENT:

THE HON'BLE SRI NISAR AHMAD KAKRU, THE CHIEF JUSTICE  
AND  
THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WVMP. NO. 139 OF 2010 IN WRIT PETITION NO : 18395 of 2009;  
WVMP. NO. 140 OF 2010 IN WRIT PETITION NO : 20972 of 2009;  
WPMP. NO. 34088 OF 2008 IN WRIT PETITION NO : 26053 of 2008 &  
WPMP. NO. 33399 OF 2008 IN WRIT PETITION NO : 25549 of 2008

WP. NO. 18395 OF 2009:

Between:

Dr. Tripuraneni Hanuman Chowdary S/o. Late T. Bala Rama Krishnaiah

..... Petitioner

AND

- 1 The Government of Andhra Pradesh, Minorities Welfare Department,  
Secretariat Building, Hyderabad Rep. by its Principal Secretary,
- 2 Andhra Pradesh State Minorities Finance Corporation Ltd.,  
5th Floor, Haj House, Nampally, Hyderabad - 500 001 rep by its Managing  
Director

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the  
circumstances stated in the Affidavit filed herein the High Court may be pleased to issue  
a direction, order or Writ more particularly one in the nature of Writ of Mandamus

- a) declaring the schemes of 1st respondent in promotion  
of religious purposes of Christianity by extending  
grant-in-aid for constructions, repairs, maintenance,  
improvement, and renovations etc of institutions belong  
to Christians as unconstitutional beside being violative  
of Art. 14, 25, 26, 27, 266 and 283 of the Constitution  
of India.
- b) declare further G.O.Ms. Nos. 42 dated 19-12-2001 for  
other Minority Communities i.e., Christian, Sikhs,  
Buddhists and Zoroastrians (Parsis) and the  
implementation of the said Scheme in the G.O.Ms.Nos.  
42 dated 19-12-2001 by issuing further G.O.Ms.Nos. 2  
& 3 dated 8-2-2002 which provide Grant-in-aid for  
institutions belong to Christian Communities as  
unconstitutional.
- c) and consequentially set aside the G.O.Ms.Nos. 42 dated  
19-12-2001, 2 dated 8-2-2002, 3 dated 8-2-2002, 414  
dated 1-9-2008, 416 dated 1-9-2008, 421 dated 2-9-  
2009, 422 dated 2-9-2008, 429 dated 5-9-2008, 430  
dated 5-9-2008, 431 dated 5-9-2008, 432 dated 5-9-  
2008, 433 dated 5-9-2008, 434 dated 5-9-2008, 435  
dated 5-9-2008, 439 dated 6-9-08, 440 dated 6-9-2008,  
441 dated 6-9-2008, 442 dated 6-9-2008, 444 dated 6-  
9-2008, 445 dated 6-9-2008, 503 dated 11-9-2008, 529  
dated 15-9-2008, 530 dated 15-9-2008, 531 dated 15-9-  
2008, 532 dated 15-9-2008, 533 dated 15-9-2008, 534  
dated 15-9-2008, 535 dated 15-9-2008, 536 dated 15-9-  
2008, 548 dated 19-9-2008, 549 dated 19-9-2008, 560  
dated 26-9-2008, 572 dated

27-9-2008, 573 dated 27-9-2008, G.O.Rt.No.nil dated 27-9-2008, G.O.RT No. 575 dated 27-9-2008, G.O.Ms.No. 575 dated 27-9-2008, 576 dated 27-9-2008, 577 dated 27-9-2008, 578 dated 27-9-2008, 585 dated 29-9-2008, 707 dated 24-11-2008, G.O.Rt.No.94 dated 21-2-2009, G.O.Rt.No. 125 dated 2-3-2009 and G.O. Rt.No. 126 dated 2-3-2009.

**Counsel for the Petitioner : MISS. ANJALI AGARWAL**  
**Counsel for the Respondent No.1 : ADDL. ADVOCATE GENERAL**  
**Counsel for the Respondent No.2 : SRI K.RAMANUJA CHARY**

WVMP. NO. 139 OF 2010:

Between:

Govt. of A.P., Minorities Welfare Department, Secretariat, Hyderabad, rep. by its Secretary

Petitioner  
Respondent No.1 in WP. No. 18395 of 2009  
On the file of the High Court

AND

1. Dr. Tripuraneni Hanuman Chowdary, S/o late T. Balarama Krishnaiah, R/o Plot No. 8, P & T Colony, Karkhana, Secunderabad.  
Respondent  
Petitioner in WP. No. 18395 of 2009  
On the file of the High Court
2. Andhra Pradesh State Minorities Finance Corporation Ltd., 5<sup>th</sup> Floor, Haj House, Nampally, Hyderabad, rep. by its Managing Director  
Respondent  
(Respondent No.2 in -do-)

Petition under Section 151 of CPC, praying that in the circumstances stated in the petition and the counter affidavit filed herein, the High Court may be pleased to vacate the interim order dated: 5-10-2009 granted in WP. No. 18395 of 2009.

**Counsel for the Petitioner : ADDL. ADVOCATE GENERAL**

**Counsel for the Respondent No.1 : MISS ANJALI AGARWAL**

**Counsel for the Respondent No.2 : SRI K.RAMANUJA CHARY**

**WRIT PETITION NO : 20972 of 2009**

Between:

Dr. Tripuraneni Hanuman Chowdary s/o. late T.Balarama Krishnaiah  
Plot No 8 P&T Colony, Karkhana, Secunderabad-500009

..... Petitioner

AND

1. The Government of Andhra Pradesh, Minorities Welfare Department Secretariat Building, Hyderabad, Rep.by its Principal Secretary

- 2 Andhra Pradesh State Minorities Finance & Corporation Ltd., 5th Floor  
Haj House, Nampally, Hyderabad,500001 Rep.by its Managing Director
- 3 The A.P Sate Wakf Board, Razzack Manzil, A.P Haj House  
Opp Public Gardens,Nampally,Hyderabad Rep,.by its Chief Executive  
Officer

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a direction, order or writ more particularly one in the nature of writ of Mandamus a) declaring the schemes of 1<sup>st</sup> respondent in promotion of religious purposes of Christianity by extending grant-in-aid for constructions repairs, maintenance, improvement and renovations etc of institutions belong to Christians as unconstitutional beside being violative of Art 14,25,26,27,266 and 283 of the Constitution of India b) declare further G.O Ms No 25 dated 16-2-1996,G.O Ms No 121 dated 14-10-1996, and the implementation of the said scheme in the above G.O by issuing further G.O Ms No 17 dated 4-4-2002 and G.O Ms No 21 dated 5-6-2006 which provide Grant-in-aid for institutions belong to Muslim Communities as unconstitutional c) and consequentially set aside the G.O Ms Nos 25 dt 16-2-1996, 121 dated 14-10-1996, 147 dated 18-6-1999, 17 dated 4-4-2002 G.O Rt 120 dated 28-2-2005, 21 dated 5-6-2006 G.O Rt No 423 dated 4-9-2008, 537 dated 16-9-2008 ,545 dated 17-9-2008, 546 dated 17-9-2008, 550 dated 17-9-2008, 551 dated 17-9-2008, 555 dated 25-9-2008, 556 dated 25-9-2008, 558 dt 25-9-2008, 264 dt 27-9-2008, .2 dated 1-1-2009,10 dated 2-1-2009,14 dated 9-1-2009, 15 dated 9-1-2009, 66 dated 18-2-2009, 90 dated 19-2-2009, 91 dated 21-2-2009,103 dated 21-2-2009, 106 dated 24-2-2009, 107 dated 25-2-2009, 123 dated 2-3-2009, 124 dated 2-3-2009 and 299 dated 25-7-2009;

**Counsel for the Petitioner : SRI O.SWAROOP**

**Counsel for the Respondent No.1 : ADDL. ADVOCATE GENERAL**

**Counsel for the Respondent No.2 : SRI K.RAMANUJA CHARY**

**Counsel for the Respondent No.3 : SRI MIR MASOOD KHAN**

WVMP. NO. 140 OF 2010:

Between:

Govt. of A.P., Minorities Welfare Department, Secretariat, Hyderabad, rep. by its  
Secretary

Petitioner

Respondent No.1 in WP. No. 20972 of 2009

On the file of the High Court

AND

1. Dr. Tripuraneni Hanuman Chowdary, S/o late T. Balarama Krishnaiah, R/o Plot  
No. 8, P & T Colony, karkhana, Secunderabad.

Respondent

Petitioner in WP. No. 20972 of 2009

On the file of the High Court

2. Andhra Pradesh State Minorities Finance Corporation Ltd., 5<sup>th</sup> Floor, Haj House,  
Nampally, Hyderabad, rep. by its Managing Director
3. The AP State Wakf Board, Razzack Manzil, AP Haj House, Nampally,  
Hyderabad, rep. by its Chief Executive officer

Respondents

(Respondent Nos.2 & 3 in -do-)

Petition under Section 151 of CPC, praying that in the circumstances stated in the petition and the counter affidavit filed herein, the High Court may be pleased to vacate the interim order dated: 6-10-2009 granted in WP. No. 20972 of 2009.

**Counsel for the Petitioner : ADDL. ADVOCATE GENERAL**  
**Counsel for the Respondent No.1 : SRI O.SWAROOP**  
**Counsel for the Respondent No.2 : SRI K.RAMANUJA CHARY**  
**Counsel for the Respondent No.3 : SRI MIR MASOOD KHAN**

WPMP, NO. 34088 of 2008 in WP .NO:26053 of 2008

Between:

Sri G.Mohan Rao S/o. Sri G.Raghavendra Rao

R/o. Flat No.C23, Stonevalley, Road No.4, Banjara Hills, Hyderabad-500034

Petitioner

..... Petitioner in WP. No. 26053 of 2008  
on the file of the High Court

AND

The Government of Andhra Pradesh, rep. by the Chief Secretary to Govt., Secretariat  
Hyderabad

Respondent CT is amended as per C.O. Dt. 2-2-2009 in WPMP. No. 35574/08

Respondent

.....Respondent in WP. No.26053 of 2008  
on the file of the High Court

WP. NO. 26053 OF 2008

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the petition and the affidavit filed herein, the High Court may be pleased to issue a writ order or direction more particularly a writ of mandamus declaring the action of the respondent in not framing a scheme by providing subsidy for Hindu Pilgrims as arbitrary, unreasonable, discriminatory, and violative of Article 14 of Constitution of India while framing the said schemes for Muslims and Christians and to further direct the respondents to frame the scheme for Hindus on par with Muslims and Christians to visit the places associated with their religion;

WPMP. NO. 34088 OF 2008:

Petition under Section 151 of CPC, praying that in the circumstances stated in the petition and the affidavit filed herein, the High Court may be pleased to direct the respondent to consider and dispose the representations dated: 21-12-2006 and 14-3-2008 submitted by the petitioner

**Counsel for the Petitioner : SRI C.KODANDA RAM**

**Counsel for the Respondent : GP FOR MINORITIES WELFARE**

WPMP. No. 33399 of 2008 in WP .NO:25549 of 2008

Between:

1 Satish Agarwal, S/o. Tekchand Agarwal,

2 G. Ragava Reddy, S/o. G. Chinna Ranga Reddy,

..... Petitioner

Petitioners in WP. No. 25549 of 2008  
On the file of the High Court

AND

1 The State of Andhra Pradesh, Rep. by its Secretary,  
Minorities Welfare (ICM) Department, Secretariat, Hyderabad.

- 2 The A.P. State Minorities Finance Corporation, Hyderabad, Rep. by its Managing Director.

.....Respondents  
(Respondents in do)

WP. NO. 25549 OF 2008:

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the petition and the affidavit filed herein, the High Court may be pleased to issue a Writ, order or direction; more particularly, one in the nature of a Writ of Mandamus declaring the action of the 1st respondent in issuing G.O. Ms. No. 29, dated 21-7-2008, providing for and operationalizing scheme for assistance to Christian Pilgrimage by deploying a budgeted amount of Rs. 2 Crores for the same, as unconstitutional, offending Part III of the Constitution of India and for a consequential direct to the respondents to forbear from disbursing any amounts to any applicants under the impugned G.O.Ms.No. 29, dated 21-7-2008

WPMP. NO. 33399 OF 2008:

Petition under section 151 of CPC, praying that in the circumstances stated in the petition and the affidavit filed herein, the High Court may be pleased to direct the respondents not to expend the budgeted amount towards the scheme for assistance to Christian pilgrimage by suspending the impugned G.O. Ms. No. 29, dated: 21-07-2008.

**Counsel for the Petitioners : SRI PUNNA RAO**

**Counsel for the Respondent No.1 : GP FOR SOCIAL WELFARE**

**Counsel for the Respondent No.2 : SRI K.RAMANUJA CHARY**

**The Court made the following;**

**ORDER:**


**“On last occasion following order was passed:**

**“Several adjournments have been so far obtained in this matter by the learned counsel for the petitioner. Today also adjournment is sought, let him avail the last opportunity to address the court. Be posted on 26-09-2011.”**

**Notwithstanding the direction aforementioned, today also adjournment is sought by proxy for no ground much less tenable one, therefore we refuse to adjourn the interim matters. Let the writ petitions come up for consideration immediately after ensuing vacation. Regard being had to the mandate of the judgment of the Apex Court in PRAFULL GORADIA V. UNION OF INDIA (2011) 2 SCC 568, interim directions in all the four writ petitions are vacated.”**

Sd/-M.VIJAYA BHASKER  
ASSISTANT REGISTRAR

// TRUE COPY //

  
for ASSISTANT REGISTRAR

**To**

1. Dr. Tripuraneni Hanuman Chowdary, S/o late T. Balarama Krishnaiah, R/o Plot No. 8, P & T Colony, Karkhana, Secunderabad.
2. The Secretary, Minorities Welfare (ICM) Department, State of Andhra Pradesh, Secretariat, Hyderabad.
3. The Managing Director, A.P. State Minorities Finance Corporation, Hyderabad
4. The Chief Secretary to Govt., Government of Andhra Pradesh, Secretariat Hyderabad
5. The Principal Secretary, Minorities Welfare Department, Government of Andhra Pradesh, Secretariat Building, Hyderabad
6. Two CCs to the G.P. for Social Welfare, High court of A.P.Hyd.(O.UT)

7. Two CCs to Addl. Advocate General, High Court of A.P., Hyderabad (OUT)
8. One C.C.to Miss Anjali Agarwal Advocate. (OPUC)
9. One CC to Sri O.Swaroop, Advocate (OPUC)
10. One CC to Sri K.Ramanuja Chary, Advocate (OPUC)
11. One CC to Sri Mir Masood Khan, Advocate (OPUC)
12. One CC to Sri C.Kodanda Ram, Advocate (OPUC)
13. One CC to Sri Punna Rao, Advocate (OPUC)
14. Two Spare copies.

**HIGH COURT**

**HCJ  
&  
VVAJ**

**DATE: 26-9-2011**

**ORDER**

**WVMP. NO. 139 OF 2010 IN WRIT PETITION NO : 18395 of 2009;  
WVMP. NO. 140 OF 2010 IN WRIT PETITION NO : 20972 of 2009;  
WPMP. NO. 34088 OF 2008 IN WRIT PETITION NO : 26053 of 2008 &  
WPMP. NO. 33399 OF 2008 IN WRIT PETITION NO : 25549 of 2008**

**VACATING THE INTERIM DIRECTIONS**