

ITEM NO.1

COURT NO.1

SECTION XII-A

S U P R E M E C O U R T O F I N D I A

R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).6554/2021

(Arising out of impugned final judgment and order dated 05-01-2021 in WPIL No.254/2020 passed by the High Court of Andhra Pradesh at Amravati)

SRIVARI DAADAA

Petitioner(s)

VERSUS

TIRUMALA TIRUPATI DEVASTHANAMS

Respondent(s)

(FOR ADMISSION and IA No.58153/2021-EXEMPTION FROM FILING O.T. and IA No.58151/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON and IA No.58152/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Petitioner-in-person

For Respondent(s) Mr. Satya Sabharwal, Adv.
Mrs. Yugandhara Pawar Jha, AOR

UPON hearing the counsel the Court made the following
O R D E R

The application for permission to appear and argue in person is allowed.

This present SLP is directed against order dated 05.01.2021 passed by the High Court of Andhra Pradesh at Amaravati in WP (PIL) No.254/2020 whereby the High Court dismissed the writ petition filed by the petitioner herein.

The Petitioner had sought the following relief in his Writ Petition before the High Court:

"It is therefore prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondent in following

the irregular procedure in performing Sevas to Lord Shri Venkateshwara Swamy contrary to the procedure prescribed under Agama Shastra and deciding not to obtain declaration form from other than Hindu people as arbitrary, illegal and consequently direct the respondent to follow the correct procedure prescribed under Agama Shastra while performing the Sevas to Lord Shri Venkateshwara Swamy and obtain declaration form from the devotees other than Hindu Religion before making Darshan in the interest of justice.”

Heard the petitioner, who has appeared in person, as also the learned counsel, who has appeared on caveat on behalf of the respondent - Tirumala Tirupati Devasthanams.

It appears that the above-mentioned reliefs sought by the petitioner-in-person are in the nature of interfering with the day-to-day rituals in respect of the temple, which cannot be gone into by the Court. Whether any ritual or sewa is being performed in a prescribed way or whether there is any deviation from established practice would raise disputed questions of fact which cannot be decided in a writ petition. The procedure of conducting rituals is in the exclusive domain of the Devasthanam and cannot be a matter of adjudication by any court unless it affects secular or civil rights of others. These issues have to be looked into by the pandits or the scholars or the advisors in accordance with the temple customs or the established practice and procedure. These are not the issues for which the Court possesses expertise. So, if the Sevas, Utsavams and Darshanams in the temple are not being done according to the set principles, the petitioner will be at liberty to approach the civil court or the competent authority and prove his claims with evidence, and it is for the respondent - Devasthanam to defend the same in accordance with law.

At the same time, other than rituals, if the Devasthanam is ignoring the rules and regulations or indulging in any other

violation of the prescribed procedure, etc. then the respondent-Devasthanam can consider these issues and clarify the same. The Petitioner raised a plea in Court regarding the non-obtaining of declaration forms from people of different faith and certain issues with some other decisions taken by the Respondent-Devasthanam. We are of the opinion that these contentions may, at the first instance, be raised by the petitioner by filing a representation before the Respondent-Devasthanam. Petitioner is at liberty to file a fresh representation, if required, in addition to his earlier representation dated 18.03.2020. The respondent is directed to consider and dispose of the petitioner's fresh representation, and his representation dated 18.03.2020, within a period of twelve weeks from today. If the petitioner is not satisfied with the said reply, he is at liberty to approach the appropriate forum for redressal of his grievance.

With the aforesaid observations, the special leave petition stands disposed of.

As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(R.S. NARAYANAN)
COURT MASTER (NSH)