

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.26538 OF 2015
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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue writ order or direction particularly one in the nature of writ of mandamus declaring the action of the Respondents Nos.2 to 4 in interfering the personal rights of Sajjadanshin and Hereditary Muthawalli of Dargah Hzt Syed Shah Ali Akbar @ Masthanwali, Guntakal, Ananthapur District, the Petitioner is constrained to file the present writ petition and pass such other order or orders as the Hon'ble High Court deem fit and proper in the circumstances of the case.”

2. When the matter is called today, written instructions dated 31.08.2015, furnished by the Sub Inspector of Police, Gunthakal II Town, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that the contents of the petitioner is that, the petitioner father's younger brother who is petitioner's uncle, demised on 07.05.2015. The petitioner's older generation dead bodies were buried in the above said Dargah. The petitioners have rights to the above said Hazrath Masthan Wali Dargah Sajjada Naseen, they hold all rights over the above said Dargah, and the same was under their control since 379 years. Hence sought permission to burry his uncle's dead body of D.Abdul Rashees in to the above said Dargah.

It is respectfully submitted that on 08.06.2015 the Committee members of Dargah and C.E.O of Wakf Board issued oral orders, never to burry the body of Rasheed Ahamed or any body else in the premises of Mathanwali Dharga in Guntakal town as the said property was under the control of wakf board. . On that the petitioner came to Guntakal and informed the said orders of Wakf Board CEO with the relatives and family members of Rasheed not to burry the body in the premises of Dharga and they accepted the orders of

Wakf Board. Further it was suggested in the meeting that if anybody buried the dead bodies in the premises of Mashtanavali Dharga, Guntakal without prior permission of Wakf Board and violated the orders of Wakf Board, they will be made responsible according to Law and they may taken legal action against them.

It is further submitted that on petition of D.Md.Ashwak and statements of Sri Syed Rahamuthalla Inspector/ Auditors Wakf Boad, Ananthapuram which was represented to the Sub Divisional Police Officer, Guntakal, in presence of the Tahsildhar the then Sub Inspector of Police submitted detailed report to the S.P. and the copy is herein with enclosed.

It is submitted that the petitioner filed this writ petition by making false allegations against the respondent police stating that they are interfering with his personal disputes, though there was no interference from the side of police.”

3. On noticing the said written instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the said written instructions.
4. In view of the above, writ petition stands disposed of, by recording the written instructions dated 31.08.2015, furnished by the Sub Inspector of Police, Gunthakal II Town.
5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

04th September, 2015
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