

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
WRIT PETITION No.22900 of 2015

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for first respondent and the learned Standing Counsel for respondents 2 and 3.

2. The petitioner states that Jamia Mosque Eidgah, Grave Yard and its attached mulgies admeasuring Ac.0-25 guntas in Sy.No.1145, situated at Huzurabad Road, Parkal, Warangal District is the Sunni Muslim Wakf property. It was notified and published in the A.P. Gazette dated 08.02.1990. It is under the administration of the second respondent by virtue of the provisions of the Wakf Act, 1995. The second respondent appointed a Managing Committee on 10.09.2008 and its term came to an end on 07.03.2010. Thereafter, another Committee was appointed and continued upto 13.08.2014. The second respondent issued a notification for the management of the Wakf property on 25.11.2014 and directed the third respondent to enroll the names of Musallis and the third respondent accordingly issued a notification on 11.12.2014 and also issued an election schedule. But, the name of the petitioner did not find in the voters' list. Similarly, 221 names of other persons were also not included. In those circumstances, the petitioner filed W.P.No.40591 of 2014 and the same was disposed of by this Court on 06.03.2015 with the following observations.

“ 4. On instructions, learned counsel for respondent No.1, submits that the procedure as contemplated in G.O.Ms.No.74, Minorities Welfare Wakf (111), dated 20.11.2009, would strictly be followed in conducting elections; that the electoral list would be prepared in terms of the said G.O after considering the objections raised by the petitioner; that on account of various reasons, elections which were scheduled to be held on 20.01.2015, are not conducted and they are likely to be conducted within a short span of time.

5. Recording the submissions of respective parties, the Writ Petition is disposed of with a direction to the respondents to consider the objections raised by the petitioner, particularly with

reference to the omissions and commissions in preparation of electoral list. Considering the fact that objections were submitted in the month of December, 2014, the respondents shall publish final list of eligible electors within a period of two (2) weeks from today after considering the objections. There shall be no order as to costs. Miscellaneous petitions, if any, shall stand closed.”

Now the present writ petition is filed stating that in spite of the above direction, the respondents are not complying with the same.

3. This Court ordered notice before admission on 24.07.2015 and the petitioner was directed to take out personal notice to the fourth respondent. When the petitioner took out notice to the fourth respondent, it was refused by the fourth respondent. Today when the matter is posted, none appears for the fourth respondent.

4. In the circumstances, this writ petition is disposed of directing the third respondent to comply with the order dated 06.03.2015 in W.P.No.40591 of 2014 within a period of two months from the date of receipt of a copy of this order. No order as to costs. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 03.09.2015

TJMR