

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.11991 of 2015

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Between:

Mohd. Khaleeq Jaffer Siddiqui

PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

The petitioner claims to be a legal practitioner. This writ petition is filed challenging the unauthorized encroachment of the Trust property of dthe 4th respondent's by the 5th respondent, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned Standing Counsel for the 2nd respondent-Wakf Board.

It is the contention of the petitioner that the 2nd respondent-Wakf Board is

colluded with respondents 4 and 5 and hence the Wakf Board is not taking action on the representation of the petitioner.

In the considered opinion of this Court, no useful purpose would be served by giving a direction to the Wakf Board to consider the representation of the petitioner and pass orders. However, since the specific allegation of the petitioner is respondents 4 and 5 are encroached into the Wakf property and misused the same, he can agitate these aspects before the Wakf Tribunal by filing a suit. Further Section 6 of the Wakf Act, 1995 prima facie entitles the petitioner to move the Wakf Tribunal as he shall be considered to be a person interested, as defined in Section 3(k) of the Wakf Act.

In that view of the matter, the writ petition is disposed of granting liberty to the petitioner to approach Wakf Tribunal seeking appropriate relief. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

24th April, 2015

Js.