

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

W.P.No.15531 of 2015

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ORDER:

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This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“To issue a Writ of Mandamus or any other appropriate writ declaring that the action of the respondent board in not restoring/reinstating the petitioner as Muthawalli of the wakf institution by name M.Sharfuddin Khan Charitable and Religious Trust, Chirag Ali Lane, Abids, Hyderabad (popularly known as Bandi Balaiah compound) notwithstanding the enquiry report dated 6.2.2015 whereby the petitioner is absolved of the charges, is arbitrary and illegal and direct the respondent to forthwith restore/reinstate the petitioner as Muthawalli of the said wakf institution and forbear from collecting rents from the tenants of the said wakf institution”.

2. It is the case of the petitioner herein that by an order dated 20.3.2014, the respondent herein suspended the petitioner herein from the office of Muthawalli in exercise of the powers conferred under Section 64(5) of the Wakf Act, 1995. It is also stated that after holding enquiry, the enquiry officer submitted a report dated 6.2.2015 exonerating the petitioner from the charges. It is also stated that in view of the report submitted by the enquiry officer, the petitioner is entitled for restoration as Muthawalli and in this regard petitioner has made representation to the respondent herein on 23.5.2015. Complaining inaction on the part of the respondent herein in taking action pursuant to the enquiry report, the present writ petition has been filed.

3. In view of the submission of the enquiry report dated 6.2.2015, this Court deems it appropriate to dispose of the writ petition with a direction to the respondent herein to take steps pursuant to the said enquiry report.

4. For the aforesaid reasons, the writ petition is disposed of directing the respondent herein to take steps pursuant to the enquiry report dated 6.2.2015 within a period of two weeks from the date of receipt of this order. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 16.6.2015

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Between:

M.Shujauddin Khan

... Petitioner

and

The Andhra Pradesh State Wakf Board,
represented by its Chief Executive Officer,
Nampally, Hyderabad.

... Respondent