

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3954 of 2015

ORDER:

Heard the learned counsel for petitioner and the learned Standing Counsel for respondent Nos.2 and 4.

2. The first petitioner is a registered Muslim Minority Society which was established in the year 2008 and the second petitioner is its President and Correspondent. While so, the sixth respondent, who is the Muthawalli of the fifth respondent, informed the petitioners that he will arrange long lease in respect of the land belonging to the second respondent. Accordingly, the petitioners entered into a lease agreement with the fifth respondent on 01.05.2008 for an extent of Ac.0-40 cents of vacant land out of Ac.1-79 cents in survey No.2179 of Nandyal town. It was taken on lease for the purpose of running "IQRA Model School". Proceedings were issued by the sixth respondent on 24.04.2008 for lease of the said land. It appears that after expiry of the original lease period, the sixth respondent himself executed a lease agreement without obtaining order from the second respondent. The petitioners constructed a building on the land leased to them by spending considerable amount. The petitioners also obtained approvals from the concerned authority for running the school. The petitioners filed W.P.No.6669 of 2013 challenging the orders of cancellation of recognition by the Education Board and W.P.No.37050 of 2012 was filed by the sixth respondent challenging the entertaining of the revision petition filed by the petitioners before the Government. The said Writ Petitions are pending. While so, the petitioners submitted a representation to the Chairman, State Minority Corporation on 22.07.2013 and to the Chairman of the second respondent on 02.12.2013 requesting for grant of lease. The petitioners also submitted a representation to the District Collector, Kurnool as well as to the second respondent alleging irregularities against the sixth respondent and on the basis of those representations, the U.D.Inspector, A.P.Wakf

Board, Kurnool, was directed to conduct an enquiry. The said Inspector conducted the enquiry and submitted his report to the second respondent on 27.06.2014. The present Writ Petition is filed seeking implementation of the said report by the second respondent.

3. The learned counsel for the petitioner submits that Inspector submitted his report recommending suspension of the sixth respondent and directing the District Educational Officer, Kurnool to reopen the school in the interest of the students. By virtue of the non-consideration of the report by the second respondent, no action is being taken against the sixth respondent and for reopening of the school. The learned Standing Counsel for the respondents submits that there are several litigations pending on the same issue and the petitioners themselves approached the Government. In that view of the matter, they are not taking any action on the report submitted by the Inspector.

4. In the circumstances, since the present Writ Petition is filed seeking further action by the second respondent on the report submitted by the said Inspector dated 27.06.2014, which was received by the second respondent on 01.10.2014, this Writ Petition is disposed of, without expressing any opinion on the merits of the case, directing the second respondent to consider the report of the U.D. Inspector, A.P. Wakf Board, Kurnool and pass appropriate orders thereon, within a period of 60 days 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.

JUSTICE A.RAMALINGESWARA RAO

Date: 29.06.2015

TJMR