

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No. 13993 of 2015

ORDER:

The impugned proceedings dated 12.02.2015 have emanated from the endorsement made by the Hon'ble Deputy Chief Minister (Rev) of A.P., on the Grievance Petition filed by one M.S.Khasim Vali, Dhone, on 09.02.2015.

2. The recitals in the impugned order reveal that on account of the order passed by the A.P. State Waqf Board, Kurnool under Section 55 of the Waqf Act, 1995, the petitioners were termed as encroachers and eviction orders came to be passed. However, a reference to Section 54 of the Waqf Act would reveal that the orders which can be enforced are the orders which are passed by the Waqf Tribunal which is defined under Section 3(q) of the Waqf Act.

3. In that view of the matter, the proceedings dated 12.02.2015 of the 3rd respondent Revenue Divisional Officer are *prima facie* without jurisdiction and, accordingly, the same are suspended.

4. Accordingly, the writ petition is allowed and the impugned proceedings dated 12.02.2015 are set aside. No costs

Miscellaneous petitions, if any pending in this writ petition, stand closed.

CHALLA KODANDA RAM, J

01st May, 2015

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