

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.40511 of 2015

Dated 28th December, 2015

Between:

Khilla Mosque Managing Committee

...Petitioner

And

The State of Andhra Pradesh, rep.by its Principal Secretary, Minorities Welfare Department, Secretariat Building for Andhra Pradesh, Hyderabad and others

...Respondents

Counsel for the petitioner: Sri Karri Murali Krishna

Counsel for respondent No.1: GP for Minorities Welfare (AP)

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to set aside proceedings bearing F.No.04/KDP/K/2013/Z-IV, dated 20.11.2015, of respondent No.2, whereby he has authorised respondent No.3 to conduct election for constitution of New Managing Committee in respect of Khilla Mosque, Chennur Village and Mandal, YSR Kadapa District.

On 15.12.2015, this Court while suspending the impugned proceedings adjourned the case to enable the learned Standing Counsel for respondent No.2 to get instructions. Today, at the hearing, the learned Standing Counsel has not disputed that the term of the present Managing Committee which was constituted on 14.11.2013 for a period of three years will expire on 14.11.2016.

In view of this admitted fact, the plea of the petitioner that it is entitled to be continued till the expiry of the period for which it was constituted in the absence of any allegations deserves to be accepted.

In the light of the above facts, the writ petition is allowed and the impugned proceedings are set aside with the direction to respondent No.2 to continue the petitioner in the office till 14.11.2016 unless any action for termination of the tenure of the Committee for legally sustainable reasons under the Wakf Act, 1995 is taken.

As a sequel to disposal of the writ petition, WP.M.P.No.52308 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

28th December, 2015
VGB