

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.17743 OF 2015

ORDER:

Heard the learned counsel for petitioners, the learned Government Pleader for Minorities Welfare for first respondent and the learned Standing Counsel for respondents 2 and 4.

2. The first petitioner is a Musalli and the second respondent is a Pesh Imam of Jamia Masjid Sunni, Grand Trunk Road, Srikakulam Town and District, the third respondent, which is a notified Wakf institution. While so, the second respondent took over the direct management of the said institution and constituted a Managing Committee in exercise of the powers vested in it under Section 18 of the Wakf Act, 1995 for administration of the Wakf institution. Accordingly, the second respondent passed an order on 26.09.2014 constituting the Managing Committee with 11 members. Out of 11 members, 5 members submitted their resignations to the second respondent in the month of November, 2014. Several Musallis have jointly submitted a representation on 17.11.2014 to the District Collector in response to which the District Collector addressed a letter to the second respondent on 18.02.2015. The District Revenue Officer also addressed a letter to the second respondent on 27.03.2015 and when no action was taken by the second respondent, the present Writ Petition is filed.

3. It is submitted by the learned counsel for the petitioners that apart from 5 members, who resigned, 1 member already expired at the time of constitution of the Managing Committee itself. The President of the Managing Committee committed several irregularities in functioning of the Managing Committee and management of the Wakf institution.

4. In view of the above, the second respondent cannot keep quiet on the letters addressed by the District Collector and District Revenue Officer. The second respondent did not file any counter, even after adjourning the matter.

5. In the circumstances, this Writ Petition is disposed of directing the second respondent to consider the letters of the District Collector dated 18.02.2015 and District Revenue Officer dated 27.03.2015 and take necessary action in the matter in accordance with law within a period of 15 days from the date of receipt of a copy of this order. There shall be no order as to costs. Miscellaneous Petitions pending, if any in this Writ Petition, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 26.06.2015
TJMR