

**HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.10801 OF 2015**

**ORDER:**

This writ petition is filed by the petitioners challenging the proceedings dated 20.03.2015, issued by the 2<sup>nd</sup> respondent-Station House Officer.

It is the case of the petitioners that they are the owners and possessors of the property admeasuring about 230 sq. yards situated in Municipal bearing Nos.7-11-1056/1, 1057, 1056 and 1059, Nehru Park, Bodan Road, Nizamabad; that the 2<sup>nd</sup> respondent-Station House Officer is interfering with peaceful possession and enjoyment of their property and trying to dispossess them based on a false complaint alleged to have been given by the 1<sup>st</sup> respondent on 20.03.2015.

Learned Assistant Government Pleader for Wakf Board submits that there is no interference that is being sought and the allegation itself is false and seeks time for filing counter.

A perusal of the complaint dated 20.03.2015, would show that it is an intimation given to the Station House Officer, Nizamabad Town, Nizamabad District, requesting him to register a case against one Syed Aijaz and 6 others under Section 52-A of the Wakf Act, 2013 and relevant provisions of I.P.C. Now in the light of categorical assertions on the part of the learned Assistant Government Pleader for Home and the learned Standing Counsel for Wakf Board that the respondents are not interfering with the peaceful possession and enjoyment of the property of the petitioners in any manner, the writ petition can be disposed of with a direction to the respondents not to interfere with the peaceful possession and enjoyment of the property of the petitioners except by following due process of law. However, it is made clear that the respondents authorities are entitled to take all necessary steps in accordance with law.

With the above observations, the writ petition is disposed of. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition shall stand closed.

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**CHALLA KODANDA RAM,J**

Date:20.04.2015.

Gk.

**HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

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