

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.19376 of 2012

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue writ, order or directions more in the nature of Writ of Mandamus to direct the Respondent authorities to take necessary steps for protecting the Dargah Hzt. Syed Shaheed Habeebuallah Hussaini situated at Kurnapally village, Yedpally Mandal, Nizamabad district from hands of Respondent No.4 as per the provisions of the Wakf Act, 1955 by taking necessary action basing on the representation made by the petitioner and pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

When the matter is called, a preliminary objection is taken by learned Standing Counsel for respondents – State Wakf Board that without making any representation to the concerned authorities the present writ petition has been filed before this Court directly under Article 226 of the Constitution of India as such no Mandamus can be issued.

On hearing such submission, learned counsel for the petitioner submits that the petitioner herein may be permitted to make representation to the respondents for redressal of his

grievance and the same may be directed to be considered, in accordance with law.

Recording the said submission, the writ petition is disposed of, keeping it open for the petitioner to submit necessary representation for redressal of his grievance within a period of one month from the date of receipt of a copy of this order. If any such representation is made by the petitioner same be considered and appropriate action be taken, in accordance with law, after giving notice to all the persons interested, as expeditiously as possible. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.V. SESA SAI, J

November 01, 2016

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