

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.34509 OF 2016

ORDER:

Heard Mr.S.Krishna Sharma for petitioner and Mr.K.Ramakanth Reddy for respondents 1 and 6 and the Assistant Government Pleader.

The petitioner prays for Mandamus declaring the action of respondents in trying to dispossess from the land in Sy.Nos.433, 438 of Irragavaram Village and Mandal, West Godavari District, pending finalisation of proceedings under Section 51 of the Wakf Act, as arbitrary, illegal and unconstitutional.

The counsel appearing for 1st and 6th respondents has brought to the notice of the Court the steps initiated by Wakf Board by issuing notice dated 18.05.2016 and further submits that the 1st respondent will consider and dispose of the representation. Pending consideration of the representation, the apprehension voiced through this prayer need not be considered by this Court, for steps are already initiated in accordance with law.

The statement is placed on record and accepted. Accordingly, the writ petition, with the consent of learned counsel appearing for the parties, is disposed of by this order:

The 1st and 6th respondents are given liberty to complete the procedure initiated through notice dated 18.05.2016 in accordance with law and communicate the outcome to petitioner.

The possession of petitioner over subject property is not disturbed except in accordance with law. The 1st and 6th respondents are directed to complete the enquiry within two months from the date of receipt of a copy of this order. This Court is not considering the merits of the matter and it is for the authority and for the competent Court to consider and decide.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

Date:09.11.2016
Sp



S. V. BHATT, J