

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.25814 of 2016

ORDER :

Heard the counsel for petitioner, and Sri Mohammad Irfan counsel for respondent nos.3 to 5.

2. The petitioner's grievance is that he is in occupation of land belonging to Wakf Board, and that respondents are trying to evict him from the said premises.

3. The counsel for petitioner has also relied upon the decisions in **A. Naga Prasad Rao v. State of Andhra Pradesh, rep. by its Principal Secretary, RWS & S Department and others**^[1] and **Muppu Raju Lakshmi v. Andhra Pradesh State Wakf Board, rep., by its Chief Executive Officer, Hyderabad and another**^[2] in support of his plea that an encroacher cannot be directly vacated from Wakf premises without following procedure.

4. I have no dispute with the said propositions, but since the petitioner has an effective alternative remedy before the Wakf Tribunal, constituted under the Wakf Act, 1955, granting liberty to petitioner to avail the said remedy, the Writ Petition is dismissed. No order as to costs.

5. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 09-08-2016

Ndr/*

[\[1\]](#) 2015 (4) ALT 716

[\[2\]](#) 2010 (3) ALT 244