

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**THURSDAY, THE NINETEENTH DAY OF MAY TWO
THOUSAND AND SIXTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.16176 of 2016

Between:

Darul Arqam Ahle Hadees Welfare Trust,
(Regd. No.75/BKJ4/2014), Gurramkonda,
Chittoor District,
Rep. by its President M. Yaseen Baig

.. Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad & 5 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.16176 of 2016

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ORDER:

This writ petition is filed challenging the orders of the Sub-Collector/Revenue Divisional Officer, Madanapalle Division, Chittoor District (3rd respondent), dated 30.04.2016, directing the Station House Officer, Gurramkonda Police Station, Chittoor District (5th respondent), to restrict the functioning of "Masjid-e-Abubakar" at Mubarak Nagar, Gurramkonda Mandal, in order to prevent any breach of peace and public tranquility.

2. Learned counsel for the petitioner submits that the petitioner has a valid building permission and building is constructed as per the permission granted. Private society is conducting prayers within the premises and, therefore, the objection of the revenue authorities and the consequential action of the local police authorities was illegal.

3. However, confronted by the provision in Rule 26 of the Andhra Pradesh Gram Panchayat Land Development (Layout and Building) Rules, 2002, learned counsel for the petitioner fairly submits that in fact, the petitioner trust has already applied to the District Collector, Chittoor District (2nd respondent) on 04.04.2016 for grant of permission to use the subject premises for religious purpose, but so far, no orders are passed. Learned

counsel, therefore, submits that the petitioner is satisfied if the writ petition is disposed of directing the District Collector, Chittoor District (2nd respondent) to pass orders on the said representation, as expeditiously as possible, more particularly, having regard to the fact that the Ramzan month is commencing shortly. Learned counsel for 6th respondent submits that he has no objection on the submission of the learned counsel for petitioner. However, he may also be given opportunity to file objections.

4. Having regard to the same, the Writ Petition is disposed of directing the District Collector, Chittoor District (2nd respondent) to pass orders on the application submitted by the petitioner trust on 04.04.2016, as expeditiously as possible, preferably within a period of two (2) weeks from the date of receipt of copy of this order. The 6th respondent is also entitled to file his objections before the District Collector. Such objections, if so desired, shall be filed within a period of one (1) week from today. The District Collector, Chittoor District (2nd respondent) shall consider such objections, if any made, before taking a decision on the application filed by the petitioner on 04.04.2016. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 19th May, 2016

Note: Issue C.C. tomorrow.

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.16176 of 2016

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Date: 19th May, 2016

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