

**HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.21987 OF 2017**

**ORDER:**

The writ petition is filed by the petitioner claiming to be the owner of the land of an extent of Acs.3.70 cents in survey No.844, Atmakur, SPSR Nellore District. Challenging the notification published in A.P.Gazette 18-A, dated 02.05.1963 and the Errata notification dated 27.04.2016 including the said land as wakf land and threatening the petitioner to vacate the said land.

Since there is an alternative remedy under Section 83 of the Wakf Act to go before the Tribunal, this Court is not inclined to entertain the writ petition, but the learned counsel for the petitioner submits that the Tribunal may not entertain the claim of the petitioner without filing the original of the Gazette Notification, which is available in the records of the Wakf Board and the case can be effectively defended by the Wakf Board.

The claim of the petitioner can be entertained by the Wakf Tribunal with a copy of the proceedings and the consequential proceedings issued on 27.04.2016 and 19.05.2017. Accordingly, permission is granted to the petitioner to withdraw the writ petition with liberty to approach the Tribunal by filing copies of the Gazette Notification and the proceedings. It is open to the petitioner to file appropriate application seeking condonation of delay, if any.

The writ petition is accordingly dismissed as withdrawn. Consequently, miscellaneous petitions, if any pending, shall stand closed.

**A.RAMALINGESWARA RAO, J**

07.07.2017  
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