

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 13095 OF 2017

ORDER :

The petitioner claims to be the welfare society espousing the cause of the muslim community. Its grievance is that the 4th respondent is making illegal construction over the wakf property admeasuring Ac.0.06 guntas in Survey Nos. 508 and 509, adjacent to Sadashivpet Eid Gah, Medak District. The petitioner made a complaint dated 25.02.2017 to the 2nd respondent Municipality to take action against the 4th respondent, but so far, the same has not been attended to. Hence, the Writ Petition.

Heard learned counsel for the petitioner, Sri N. Praveen Kumar, learned Standing Counsel for the 2nd respondent and Sri Farhan Azam Khan, learned Standing Counsel for the 3rd respondent Wakf Board.

In the case on hand, the petitioner has not placed before this Court any material to show that the property over which the 4th respondent has allegedly been making construction belongs to the 3rd respondent Wakf Board. The petitioner has not even made any attempt, it appears, to approach the 2nd respondent under the Right to Information Act, seeking information as to whether the 4th respondent has obtained any permission to make constructions.

However, since the petitioner has made an allegation that the subject property is a wakf property and the 3rd respondent, being the statutory authority, is under an obligation to ensure protection of the wakf properties, the Writ Petition is disposed of directing the 3rd respondent to inquire into the allegations of the petitioner and if they are found to be true, necessary relief from the

appropriate authority may be sought to protect the interests of the wakf property. The petitioner is also at liberty to approach the 3rd respondent to take necessary action by furnishing the information available with it. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

13th April 2017

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