

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22359 OF 2009

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue an appropriate writ, order or direction more particularly in the nature of Mandamus, declaring the action of the respondents No.1 to 3 without initiating proceedings either under Sec.54 of the Wakf Act, 1995 or proceeding for eviction trying to dispossess the petitioners is wholly illegal, arbitrary, capricious and malafide contrary to various provision of Wakf Act and T.P. Act.”

2. Heard and perused the material available on record.
3. The main grievance of the petitioner is that the respondents are trying to dispossess him from the premises situated at Ward No.10, near Mecca Masjid, Kandukur Town, Prakasam District without following the due process of law.
4. Considering all the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the case, the respondents are hereby directed not to dispossess the petitioner from the aforesaid premises without following the due process of law.
5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

Date: 07.09.2017
AMD



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