

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.NO.3775 OF 2008

O R D E R

The claim of the petitioners is that the subject land was given to their ancestors to render services to Big Mosque and it comes within the definition of Wakf. In respect of the said land, pattadar passbooks were also given. The 3rd respondent – A. P. State Wakf Board, represented by its Chief Executive Officer, addressed letter to the 4th respondent – Tahsildar dated nil/5/2007, for cancelling the said pattadar pass books. Aggrieved by the same and seeking declaration of title to the subject land for consequential perpetual injunction, the petitioners herein filed suit in OSSR.No.314/2008 on the file of A.P.Wakf Tribunal, Hyderabad. By the impugned order dated 11.02.2008, the Tribunal dismissed the suit, as not maintainable. Aggrieved by the same, the present writ petition came to be filed.

At the hearing of the writ petition, the Government Pleader for Minority Welfare for respondents 1 and 6, Government Pleader for Revenue for respondents 4, 5 and 7, Mr. Mohd Irfan, Standing Counsel for the 3rd respondent – Wakf Board and Mrs. S.Nanda, counsel for the impleaded respondent No.8, on instructions stated that they have no objection for allowing the writ petition, but time limit may be fixed for disposal of the suit.

Having regard to the facts and circumstances and the submissions of the learned counsel, without expressing any opinion on merits, the impugned order dated 11.2.2008 is set aside and the 2nd respondent – Tribunal shall number the suit and deal with the same in accordance with law as early as

possible, preferably within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

Miscellaneous petitions pending if any, shall stand closed.

C.PRAVEEN KUMAR,J

DATE:13—03—2017

AVS

Note:

C.C. in five days.

B/O

