

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.36132 OF 2017

ORDER

Assailing the proceedings of the Chief Executive Officer, A.P.State Wakf Board in F.No.07/KNL/K/2017 dated 6.10.2017 in constituting the Managing Committee to Moti Masjid situated near Railway Station, Done town and Mandal, Kurnool District, the present writ petition is filed contending *inter alia* that it is not a notified wakf.

Heard learned counsel for petitioners.

The learned Standing Counsel for the Wakf Board and the counsel for the party respondent, submitted that the subject wakf is notified and they produced copy of the gazettee notification dated 2.5.1963. They further submitted that petitioners have an alternative remedy of approaching the Tribunal under Section 83 of the Wakf Act, 1995.

The learned counsel for the petitioners seriously disputed the same.

When the petitioner has an alternative and efficacious remedy of approaching the Tribunal under Section 83 of the Act, this court is not inclined to entertain the writ petition and to go into the disputed questions of fact.

Hence the writ petition is disposed of granting liberty to the petitioners to avail the alternative remedy available under Section 83 of the Act.

No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

DATE:02—11—2017

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