

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.2662 OF 2018

ORDER:

The grievance of the petitioner in the present writ petition is alleged action of the 5th respondent in interfering with the functioning and management of the Wakf Institution i.e. Kitte Salaheen, Agahpura, Nampally, Hyderabad.

A counter-affidavit is filed by the 5th respondent. Paragraphs. 4, 7 and 8 of the said counter-affidavit read as under:-

“4. In reply to para No.10 of the affidavit, it is submitted that as per the records, it is revealed that on a complaint of Chief Executive Officer, State Telangana Waqf Board, Hyderabad, a case in Cr.No.1/2016 under Sections.447 and 427 IPC was registered on the file of Habeebnagar Police Station, Hyderabad against the petitioner herein and his henchmen as they broken the seal and lock of the Waqf property and taken over the possession of the wakf property and investigated into. Prima facie case is not established in this case and hence the investigating agency referred the said complaint as “False” and to that effect final report was also filed before the concerned Hon'ble Court.

7. In reply to para.14 of the affidavit, it is submitted that the allegation of the petitioner that the monthly Fateha of Bagdadi family falls on 4th February,2018 but on account of constant interference by this respondent, the day-to-day functioning and conduct of rituals in respect of the subject institution has become very difficult is also false and hence denied. All the allegations made in the affidavit are false, baseless, concocted and hence the same are denied.

8. It is pertinent to submit that it appears that there are internal disputes between the petitioner and among the persons in the Waqf Institution. I humbly submit that this respondent never interfered with the day-to-day functioning and management of Waqf Institution ie., Kitte Salaheen, Agahpura, Nampally, Hyderabad. The contentions contra are untrue and

hereby denied. The allegations contra are untenable. There are no merits whatsoever warranting the interference of this Hon'ble Court under Article 226 of the Constitution of India. The writ petition is liable to be dismissed."

While referring to the above said paras, it is submitted by the learned counsel for the petitioner that the writ petition can be disposed of by placing on record with the above said averments of the counter-affidavit.

Accordingly, the writ petition is disposed of by placing on record the averments made in Paras 4, 7 and 8 of the counter-affidavit. No order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

Date: 07.03.2018
TSNR



A.V.SESHA SAI, J