

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.2721 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Standing Counsel appearing for the second respondent.

2. It is the case of the petitioner that his father took shop No.8 attached to Masjid Mulla Suleman Farsi, Dargah and Eidgah, situated in Ramchandrapuram, Sangareddy District, about forty years back and the petitioner is in possession of the same. The petitioner is paying rent of Rs.3,000/- per month to the Managing Committee of the said Wakf institution. Now, it is alleged that respondents 2 and 3 are trying to evict the petitioner by force without following due process of law. In the circumstances, the present Writ Petition is filed.

3. Learned counsel for the petitioner submits that a tenant can be evicted only by following the procedure prescribed in Sections 3 (ee) and 54 of the Wakf Act, 1995 and respondents 2 and 3 cannot interfere with the petitioner's property, without following due process of law.

4. The petitioner filed rent receipts upto January, 2018 in support of his case to show that he is in possession of aforesaid shop. Learned Standing Counsel appearing for the second respondent undertook to follow the due process of law in the event of shop No.8 is being required by respondents 2 and 3.

5. In view of the same, this Writ Petition is disposed of directing respondents 2 and 3 not to interfere with shop No.8 of the petitioner situated Ramchandrapuram, Sangareddy District, without following due process of law.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

JANUARY 31, 2018

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Date: 31.01.2018

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