

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3117 of 2018

ORDER:

Heard the learned Counsel for the petitioner and the learned Standing Counsel.

The petitioner states that he filed W.P.No.30019 of 2017 challenging the inaction of the respondents in including the Managing Committee in the voters list of the Andhra Pradesh State Waqf Board for the purpose of participation in the elections held by the first respondent for the purpose of choosing their representatives to the Waqf Board. However, the elections were held on 31.08.2017 without there being a representative from the Institution. The Writ Petition was ultimately disposed of on 22.09.2017 directing the second respondent therein to consider the representation for inclusion of the name of the petitioner in the voters list. The petitioner states that under his chairmanship the Managing Committee was elected unanimously and the management was handed over to it on 21.04.2017. Now when an order is passed by the second respondent appointing the Assistant Secretary from the Head Office, Vijayawada, for conducting elections, the present Writ Petition is filed.

A reading of the impugned order dated 02.01.2018 shows that the Inspector Auditor, Waqfs, Chittoor District, was instructed to conduct the election on 24.04.2017, but before the said date he submitted the proposals on 21.04.2017 itself recommending a panel without preparing the voters list. The second respondent noticed the lapse in the report and rejected the report. Since the Inspector

Auditor, Waqfs, Chittoor District, failed to conduct the elections as per the guidelines issued in G.O.Ms.No.74-A, dated 20.11.2009, the second respondent thought it fit to appoint another Election Officer. A reading of the affidavit filed in support of the Writ Petition discloses that the representation of the petitioner was not considered and the petitioner filed a contempt application on 05.01.2018.

It is submitted by the learned Counsel appearing for the second respondent that the petitioner has been creating hurdles for conduct of elections by taking advantage of the irregular report submitted by the Inspector Auditor, Waqfs, on 21.04.2017.

As the order of the second respondent is very clear with regard to the circumstances under which the new Election Officer is appointed, this Court is not inclined to entertain the present Writ Petition.

The Writ Petition is, accordingly, dismissed. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

01.02.2018
vs

(A.RAMALINGESWARA RAO, J)