

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.8358 of 2018

Date :21.3.2018

Between:

Smt Samina Begum W/o Mohammed Anwar  
43 years R/o H No. 2-3-322, Ramgolpet, Nallggutta  
Secunderabad

Petitioner

And

The State of Telangana  
Rep by its Principal Secretary,  
Minorities Department  
Secretariat, Hyderabad and others

Respondents

The Court made the following:



ORAL ORDER:

According to petitioner, originally her mother in law Smt Madar Bee purchased house bearing No. H No. 1-11-37, Lower Begumpet, Near Railway Station, Begumpet, Hyderabad admeasuring 247 sq yards from Sri Danam Ranganatham on 10.1.1972 and out of love and affection gifted the said property to her son/husband of petitioner Sri Mohd. Anwar and subsequently husband of petitioner vide registered gift deed has gifted portion of property to petitioner. Thus, petitioner claims that she is owner of house forming part of H No. 1-11-37, Lower Begumpet, Near Railway Station, Begumpet, Hyderabad. Petitioner alleges that the Inspector, Telangana State Wakf Board-3<sup>rd</sup> respondent is threatening to dispossess her without following due process. In support of her claim that the subject property is gifted to her and that it is a private property, copy of sale deed and two gift deeds are filed as material papers.

2. Except for these assertions and sale deed and gift deeds, no other material is brought on record to show that 3<sup>rd</sup> respondent is interfering and threatening to dispossess the petitioner.

3. If what is claimed by the petitioner is true, then the State Wakf Board cannot interfere in the subject property of the petitioner and petitioner ought to have complained to the State Wakf Board against its officer /3<sup>rd</sup> respondent alleging interference in private affairs. On the other hand, if said property is a wakf property, petitioner has to avail remedies available to her under Wakf Act,1995 by filing appropriate petition before the Wakf Tribunal or civil law remedy. Therefore, the writ petition is not maintainable and the same is accordingly dismissed, leaving it open to petitioner to work out remedies available to her in law. Pending miscellaneous petitions are closed.

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P NAVEEN RAO,J

DATE: 21.3.2108  
TVK

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