THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10498 OF 2018

DATED :02.04.2018

Between :

Agha Alamdar Hussain S/o.Late Agha Jahangir Nasser,
Aged 54 yrs, Occu : President,
Hussaini Organisation Ashoorkhana
Protection Society, R/o.205,
Lake Residency, Somajiguda,
Hyderabad & another.

.. Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Minority Welfare Department,
Secretariat Buildings,
Hyderabad, T.S. & others.

.. Respondents

HIGH COURT FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH JUDICATURE AT HYDERABAD
सत्यमेव जयते

This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10498 OF 2018

ORDER :

Heard learned counsel for the petitioners and learned Standing counsel for the Telangana State Wakf Board.

2. In this writ petition petitioners challenge the proceedings of the Chief Executive Officer, Telangana State Wakf Board dated 06.03.2018 appointing the office bearers and members of the Committee to Dargah Hazrath Akbar Hussaini & Ashoorkhana, Purani Haveli. Section 83 of the Wakf Act 1995 (for short 'the Act'), provides for constitution of Tribunal and its functioning.

3. Under sub-section 2 of Section 83 of the Act, any person aggrieved by an order made under the Act and the Rules made thereunder can make an application to Wakf Tribunal constituted under the Act for determination of any dispute, question or other matters relating to wakf. This is an effective and efficacious remedy available to the petitioners.

4. In the interim prayer portion of the writ petition, petitioners referred to accord permission to the petitioners to decorate the Wakf institution Ashoorkhana Hazrath e Abbas and Shahzad-e-Qasim & Dargah Hz.Syed Akber Hussaini, on 30th & 31st March, 2018, 17th to 21st April, 2018 and also on 01st May, 2018 till the entire month of Ramzal ul Mubarak. The same prayer can also be sought before the Wakf Tribunal which is an effective and efficacious remedy available under Section 83 of the Act.

5. Thus, granting liberty to the petitioners to avail the remedy under Section 83 of the Wakf Act, 1995 the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

2nd April, 2018

Note : Issue C.C in three (3) days
B/o.
Rds