

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos 8203, 8226 and WP.No.8227 OF 2019

DATED:18-04-2019

WP.No.8203 of 2019

Between :

Mr.Mohammed Masihuddin Khan,
S/o.Mohammed Zaheeruddin Khan,
Aged about 52 years, occ: Business,
R/o.H.No.17-3-5/6/24/1, Shoukat Jung
Devdi, Yakutpura, Hyderabad.

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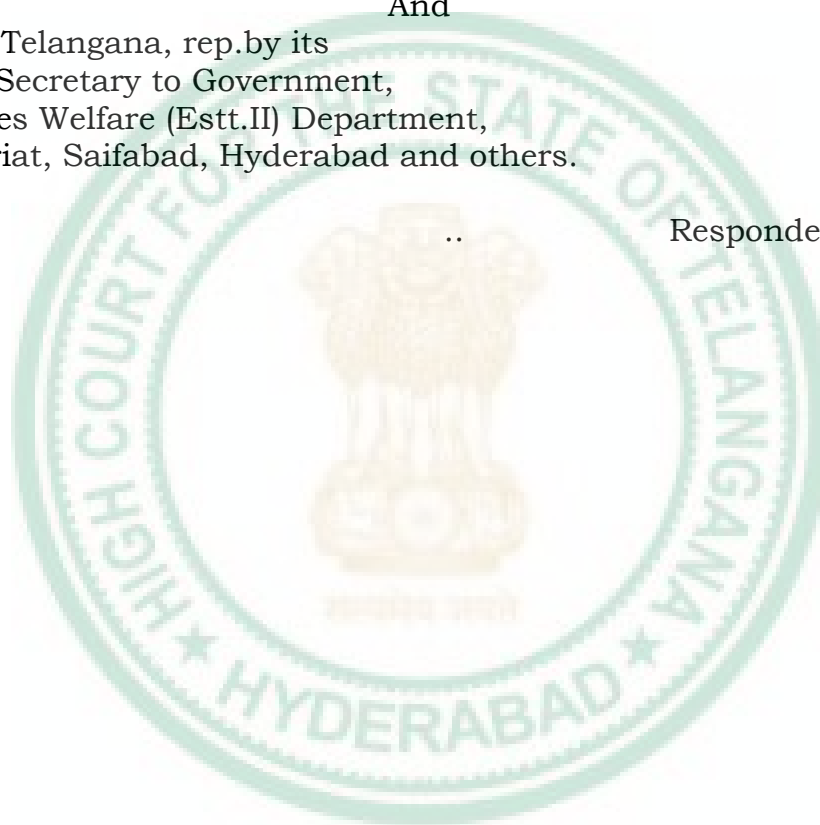
Petitioner

And

State of Telangana, rep.by its
Special Secretary to Government,
Minorities Welfare (Estt.II) Department,
Secretariat, Saifabad, Hyderabad and others.

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Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos 8203, 8226 And WP.No.8227 OF 2019

COMMON ORDER :

Petitioners are aggrieved by notice dated 16-11-2018 demanding payment of arrears of rent and enter into fresh rental agreement on the subject shops belonging to the Wakf Institution. Petitioners claimed that they made representations requesting the respondent-Board to accept the rents. Without accepting the prayer of the petitioners to permit them to deposit the rents, penal action has been taken against them. Hence, these writ petitions are filed.

02. Earlier similarly situated person challenging the very same notice filed WP.5229 of 2019. Learned Single Judge declined to entertain the writ petition on the ground that the applicant has efficacious alternative remedy under Section 83 of the Waqf Act, 1995. Aggrieved thereby, W.A.No.309 of 2019 was filed. Division Bench of this Court allowed the Writ Appeal and set aside the decision of learned Single Judge in the writ petition and a direction was issued to the respondent-Board to consider the representation of the appellant therein and accept the arrears of rent offered by him within four weeks.

03. The issue in these writ petitions is similar as in W.A.No.309 of 2019. Following the said decision, these writ petitions are allowed. The 2nd respondent-Board is directed to consider the representations of the petitioners and to accept the arrears of rent offered by them within a period of four weeks from the date of receipt of certified copy of this order.

04. Accordingly, these writ petitions are allowed. Pending miscellaneous petitions, if any, shall stand closed.

18-04-2019
Nvl

P.NAVEEN RAO,J

