

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.11351 OF 2018

ORDER

This writ petition is filed seeking the following relief:

“to issue a Writ, Order or Orders more particularly one in the nature of Writ of Mandamus directing the respondent board to consider and take immediate action on the Representation dated 13.03.2018 made by the petitioner herein to remove the encroachment and demolish the illegal construction over the Waqf properties to an extent of 83 Square Yards and 139.2 square yards situated at H.No.23-5-355, inside Lal darwaza, Ward No.23, Block No.5, khasana-e-Aab, Jalpally, Lal Darwaza, Hyderabad, by holding the action of the respondent board in not taking any action on the representation dated 13.03.2018 is as illegal, arbitrary, discriminatory and Unconstitutional, equity and fair play and in violation of Sections 54 and 55 of the Wakf Act, 1995 and pass such other order orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard learned counsel on either side.

It is the case of the petitioner that he is the grand son of late Bhikkan Saheb, who worked as Muthawali. Some of the persons have encroached the waqf land and the petitioner is having interest in the said institution. Hence, the petitioner submitted a representation to the respondent on 13.03.2018 to take action against the illegal encroachers. But, so far, no orders have been passed thereon.

Learned counsel appearing for the petitioner submits that appropriate orders be passed in the writ petition directing the respondent to consider the representation dated 13.03.2018 submitted by the petitioner.

Learned Standing Counsel appearing for the respondent contended that since the representation submitted by the petitioner is pending with the respondent, the respondent would consider the same and pass appropriate orders.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the respondent to consider the representation dated 13.03.2018 submitted by the petitioner and pass appropriate orders thereon within a period of either weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 5.2.2020

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