APHC010715012014

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

WEDNESDAY ,THE TWENTY SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 34975/2014

Between:

E.n.ismail S/o M.e.nagoore Meera, Age 30 Years, **...PETITIONER**

AND

The Andhra Pradesh State Wakf Board Rep By and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. SUBHANI S M

Counsel for the Respondent(S):

1. M P CHANDRAMOULI
2. MOHAMMED GAYASUDDIN
3. SHAIK KHAJA BASHA

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.34975 OF 2014

ORDER:-

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

> *"to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondents 1 and 2 for not initiating the action against the unofficial respondents 3 to 25, who are the encroachers of the notified Wakf property attached to Jamia Mosque, Nagari, Chittoor District inspite of Petitioner's representation dated 11th September, 2014 is illegal, arbitrary, unconstitutional and against the Provisions of Wakf Act, 1995 and rules made there under and pass such other order or orders as this Honble Court may deem fit and proper in the circumstances of the case...."*

2. The case of the petitioner in brief is that even though the petitioner herein submitted his representation dated 11.09.2014, the respondents not initiated any steps as contemplated under the Act for removal of encroachment made by respondent Nos. 3 to 25.

3. No representation on behalf of the petitioner. Heard learned counsel for respondents.

4. Learned counsel for the respondents submits that the respondents will proceed for removal of encroachments by following the due procedure as contemplated under Section 54(3) of the Wakf Act, 1995 and Rules, made thereunder.

5. Having considered the submissions made by the learned counsel for the respondents and on perusal of the material placed on record, this Court is of the considered view that the present writ petition can be disposed of, directing respondent Nos. 1 and 2 to remove encroachments pursuant to the representation dated 11.09.2014 submitted by the petitioner by following due procedure as contemplated under Section 54(3) of Wakf Act, 1995 and Rules made thereunder.

6. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

VENKATESWARLU NIMMAGADDA, J

22.01.2025
BSP

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