APHC010537962026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3332]
(Special Original Jurisdiction)

SATURDAY, THE 10th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 29403/2026

Between:

1. SHAIK DASTAGIRI, S/O.MAHABOOB BASHA, AGED 50 YEARS, OCC COMMUNAL SOCIAL SERVANT, R/O.H.NO.16/464-19, GOUSENAGAR, CUDDAPAH-516 001.
2. 2. SHAIK IBRAHIM,, S/O.ABDUL RAJAK, AGED 45 YEARS, OCC BUSINESS, R/O.H.NO.11-382, BIDAL MITTA, COLLAGE ROAD, VEMPALLE VILLAGE MANDAL, CUDDAPAH DISTRICT-516 329.
3. SHAIK HANEE,, S/O.SAHEB, AGED 55 YEARS, OCC BUSINESS, R/O.H.NO.21-1-79, GANUGAPALEM, ONGOLE PRAKASHAM DISTRICT-523 001.
4. SHAIK, MOHAMMAD ABRAAR,, S/O.JASMEEN BEGUM, AGED 19 YEARS, OCC BUSINESS, R/O.H.NO.10/65, AAYESHANAGAR, BEILAM MANDI, CUDDAPAH-516 00

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRI.SECRETARY, MINORITIES WELFARE DEPT., SECRETARIAT BUILDINGS VELAGAPUDI AMARAVATI-522 237.
2. THE ANDHRA PRADESH STATE WAKF BOARD, REP. BY ITS CEO, 4 FLOOR, IMDADGHAR, OPP. KHALESWARARAO MARKET, VIJAYAWADA, NTR (OLD KRISHNA) DISTRICT-520

001.

3. ASTANA EMAQDOOMULLAHI WITH DARGAH HAZARATH KHAJA PEERULLA MOHARMMED HUSSAINI CHISTI, REP.BY MUTAWALLI SRI KHAJA SYED SHAH ARIFUILAH HUSSAINI, KADAPA TOWN, KADAPA DISTRICT-516 001.

4. THE DISTRICT REVENUE OFFICER DISTRICT WAQF OFFICER, KADAPA, YSR KADAPA DISTRICT-516 001.

5. THE DISTRICT MINORITY WELFARE OFFICER ADDITIONAL DISTRICT WAQF OFFICER, KADAPA, YSR. KADAPA DISTRICT-516 001. 6

6. INSPECTOR AUDITOR WAQF DISTRICT WAQF BOARD, KADAPA, YSR KADAPA DISTRICT-516 001.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature o WRIT OF MANDAMUS declaring the inaction of respondents 2 to 6 in considering the bids offered by the petitioners and in making arrangements to issue licenses/leases through competitive bids, fetching more income to the 3rd respondent institution in causing huge financial loss to the 3 rd respondent institution in gross violation of Rule 4 of the VVagf Properties Lease Rules 2014 during Urus/Sandal Festival to be celebrated from 12.10.2026 to 30.10.2026 at 3rd respondent Dargah being bad, illegal, arbitrary, contrary to the provisions the VVaqf Act 1995 and Rules, besides offending Article 14 25 of Constitution of India and consequentially to direct the respondents 2 to 6 to issue of licenses/leases during the said URUS duly inviting .and accepting highest bid in competitive bid process duly considering the bids offered by the petitioners also on 05.10.2026 and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents 2 to 6 to adhere to competitive bid process duly considering the applications of petitioners 1 to 4, dated

05.10.2026 and to issue licenses/leases during the Urus festival at 31 d respondent, Dargah to be commenced from 05.11.2026 onwards pending disposal of main writ petition and pass

Counsel for the Petitioner(S):

1. MANDA VENKATESWARA RAO

Counsel for the Respondent(S):

1. GP FOR SOCIAL WELFARE

The Court made the following:

ORDER:

The grievance of the petitioners, in short, is that though they made representations requesting to follow competitive bid process for allotment of shops during URS/Sandal Festival to be celebrated from 12.10.2026 to 30.10.2026, the respondents are trying to lease out the licenses at their wishes in violation of Rule 4 of the Waqf Properties Lease Rules, 2014, causing huge financial loss to the 3rd respondent institution.

2. Heard Sri Manda Venkateswara Rao, learned counsel for the petitioners, Sri Shaik Khaja Basha, learned Standing Counsel for Waqf Board and learned Assistant Government Pleader for Social Welfare for the respondents.

3. Learned counsel for the petitioner while reiterating the contents of the affidavit contended that the petitioners made representations requesting the authorities to lease out the places to them in the oncoming URs festival on 12.10.2026 by following competitive bid process but the

respondents are not considering the same and trying to lease out licenses at their wishes. If the same is allowed to happen, huge financial loss would be caused to the 3rd respondent institution. He further submitted that it would suffice if a direction is given to the respondents to consider the representations of the petitioners and allot the places to them as per law, accordingly, prayed to pass appropriate orders.

4. Learned Standing Counsel on written instructions *vide* Rc.No.28/Waqf/URs/2026 dated 07.10.2026 submitted that the allotment process, including receipt, scrutiny, consideration and finalization of applications shall be conducted from 11.10.2026 to 17.10.2026 in a transparent manner and strictly in accordance with Rule 4 and complete the allotment process and issue allotment order on or before 18.10.2026. He further submitted that if the petitioners submit applications, they would consider the same in accordance with law and allot to the persons who succeed in the bid, accordingly, prayed to pass appropriate orders.

5. Taking the submissions of the learned counsel for the parties into consideration, as the respondent Waqf Board is going to invite applications tomorrow (11.10.2026) by following Rule 4 of the Rules, 2014; instead of keeping the writ petition pending inviting counter, this Court is inclined to dispose of the writ petition by passing the following order:

"The petitioners are at liberty to participate in the bidding process and the same shall be considered in accordance with law."

6. Accordingly, the Writ Petition is ***disposed of***. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

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JUSTICE RAVI CHEEMALAPATI

Date: 10th October, 2026
RKS