

[3328]

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**FRIDAY, THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 10848 OF 2025

Between:

1. Shaik Ahmed Pasha, S/o. Late Shaik Mohiddin, Aged about 57 years, Occ: AC Mechanic, R/o. D.No. 12-3-18/1, Raja Rajeswari Street, Narsapuram, West Godavari District.
2. Shaik Eetimsha vali, S/o. Late Shaik Mansi, Aged about 49 years, Occ: Auto-driver, Residing at D.No.12-3-16/3, Raja Rajeswari Street, Narsapuram, West Godavari District.

Petitioners

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Social Welfare Department, Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector, West Godavari District, Eluru.
3. The Andhra Pradesh State WAQF board, Rep. by its Chief Executive Officer, Vijayawada.
4. The Inspector-Auditor, WAQF board, Collectorate, Eluru, West Godavari District.
5. The Tahsildar, Mogalturu Mandal, West Godavari District.
6. Y.V. Dharma Rao, S/o. Y. Sreeramulu, Aged about 70 years, R/o. Mogalturu Village and Mandal, West Godavari District.

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may

be pleased to issue an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the action on the part of the respondent No.2 to 4 in granting lease hold rights for the land in an extent of Ac. 4.83 cents in Sy.No.521/1 of Mogalturu Village and Mandal, West Godavari District for a period of 3 years treating it as WAQF property, eventhough, a declaratory decree has been granted in favour of our parents in O.S.No.15 of 1985 on the file of Sub-ordinate Judge, Narsapur vide the Judgement and Decree, dated 30.04.1994, which is confirmed in Appeal Suit in AS No.48 of 1994 vide the Judgement and Decree, dated 07.03.2000 on the file of the Court of the IInd Additional District Judge, West Godavari District at Eluru, which attained finality as arbitrary, illegal, colourable exercise of power and contrary to the well-established legal principles, apart from being violative of the fundamental rights guaranteed to us under Articles 14,19, 21 and 300-A of the Constitution of India and consequently direct the respondents No. 3 to 6 not to interfere with our rights over the land in an extent of. Ac. 4.83 cents in Sy.No.521/I of Mogalturu Village and Mandal, West Godavari District.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed 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 No. 2 to 6 not to carry out any activity in the land in an extent of Ac. 4.83 cents in Sy.No.521/1 of Mogalturu Village and Mandal, West Godavari District, pending disposal of WP 10848 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI V R REDDY KOVVURI Advocate for the Petitioners, GP FOR SOCIAL WELFARE Advocate for the Respondent No.1, GP FOR REVENUE for the Respondent Nos.2 & 5, SRI M SOHAIL SHAREEF appearing on behalf of SRI SHAIK KAJA BASHA, Standing Counsel for the Respondent Nos.3 & 4 and the Court made the following

ORDER

Heard Sri V.R.Reddy Kovvuri, Ld. Counsel for the Writ Petitioner and Sri M. Sohail Shareef, Ld. Counsel appearing on behalf of Sri Shaik Khaja Basha, Ld. Counsel for the Respondent No.4.

2. Ld. Counsel for the Writ Petitioner has drawn the attention of this Court to the Decree passed in O.S.No. 15 of 1985 dated 30.04.1994 as well as the Order passed in the Appeal Suit No.48 of 1994 dated 07.03.2000.

3. Having considered the facts of this case, there shall be a direction to all the parties to maintain Status quo obtaining as on today till the next listing.

4. Let Counter-Affidavit be filed within two weeks. One week thereafter, for filing Re-joinder, if any.

5. List this matter on 05.01.2026.

**Sd-/ M.SRINIVAS
ASSISTANT REGISTRAR**



//TRUE COPY//

For SECTION OFFICER

To,

1. The Principal Secretary, Social Welfare Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector, West Godavari District, Eluru.
3. The Chief Executive Officer, Andhra Pradesh State WAQF board, Vijayawada.
4. The Inspector-Auditor, WAQF board, Collectorate, Eluru, West Godavari District.

5. The Tahsildar, Mogalturu Mandal, West Godavari District.
6. Y.V. Dharma Rao, S/o. Y. Sreeramulu, Aged about 70 years, R/o. Mogalturu Village and Mandal, West Godavari District. (1 to 6 by RPAD)
7. One CC to SRI. V R REDDY KOVVURI, Advocate [OPUC]
8. One CC to SRI. SHAIK KAJA BASHA, Standing Counsel [OPUC]
9. Two CCs to GP FOR SOCIAL WELFARE, High Court Of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh [OUT]
11. One spare copy
adp

HIGH COURT

GRKP,J

DATED: 14/11/2025

List the matter on 05/01/2026

ORDER

WP.No.10848 of 2025

STATUS QUO

