

[3328]

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

**MONDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

: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.521/1 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 the High Court order dated 14.11.2025 made herein 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

None appeared for the Writ Petitioner.

2. Sri Sohail Shareef, learned Counsel appearing for the Respondent Nos.3 & 4, seeks further time for filing Counter Affidavit.

3. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Re joinder, if any.

4. Interim Order granted earlier shall stand extended till the next listing.

5. List on 10.03.2026.

**SD/-K.V.RAGHAVULU
ASSISTANT REGISTRAR**


SECTION OFFICER

//TRUE COPY//

To,

- 1. One CC to SRI. V R REDDY KOVVURI, Advocate [OPUC]**
- 2. One CC to SRI. SHAIK KAJA BASHA, Standing Counsel [OPUC]**
- 3. Two CCs to GP FOR SOCIAL WELFARE/, High Court Of Andhra Pradesh. [OUT]**
- 4. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh [OUT]**
- 5. One spare copy**

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HIGH COURT

GRKP,J

DATED: 05.01.2026

LIST ON 10.03.2026

ORDER

WP.No.10848 of 2025

INTERIM ORDER EXTENDED

