



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

[3331]

FRIDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 17016/2025

Between:

Manikyam Arish Ahammad,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. MASALEGAR HIDAYATHULLA

Counsel for the Respondent(S):

1. GP FOR SOCIAL WELFARE

2. SHAIK KHAJA BASHA

The Court made the following:

Rule *nisi*. Call for records.

Sri Khaja Basha, learned standing counsel takes notice for respondents 2 to 4, offers to file vakalat and seeks time to file counter-affidavit.

List after four (4) weeks.

SUBBA REDDY SATTI, J

I.A.No.1 of 2025

Impugning the proceedings issued by the 3rd respondent vide F.No.B3/61/ATP/2003 dated 25.06.2025 authorizing the Inspector Auditor, Sri Satya Sai District to conduct elections for constitution of Managing Committee to the Wakf institutions namely Hazrath Mastan Vali Dargah, Jamiya Masjid, Choti Masjid (Jumma Masjid), Idgah & Burial ground situated at Kothacheruvu village and Mandal, Sri Satya Said District, A.P, the above writ petition has been filed.

Learned counsel for the petitioner would submit that the Chair person, APSWB has no authority to appoint Inspector Auditor without resolution passed by the Board. Learned counsel would further contend that the delegation of power to Chair Person is not in consonance with Section 27 of the Waqf Act, 1995.

Learned standing counsel produced Gazette Notification vide F.No.17/APSWB/Board/2024, dated 09.01.2025 regarding delegation of power to the Chairperson and the Chief Executive Officer of AP State Waqf Board, Vijayawada.

Clause 13 of the resolution reads as follows:

“13. Approvals of matters considering significance, accidental / urgency, time bound Court orders, Govt. directions, etc. subject to the ratification of the Board.”

Even going by Clause 13, the ratification of the Board is mandatory.

In the case at hand, without Board resolution or the ratification from the Board, learned Chairperson appointed Inspector Auditor, Waqf Board, Sri Satya Sai District to conduct elections.

Prima facie, the proceedings impugned are in violation of Regulation 10 of Andhra Pradesh Waqf Managing Committee (Constitution, functions and Duties) Regulations, 2009.

Given the facts and circumstances of the case, the proceeding impugned vide F.No.B3/61/ATP/2003 dated 25.06.2025 are hereby suspended.

However, this order will not preclude the respondents' authorities to adhere to the procedure, regarding conducting the elections to the institutions, referred to supra.

SUBBA REDDY SATTI,J

Dated 11.07.2025

KA