

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

**TUESDAY, THE EIGHTEENTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 27111 OF 2024**



Between:

Shaik Jagirdar Mahaboob Sab, S/o. Ghouse Mohiuddin, Aged about 69 years, Occ: De-facto Hereditary Mutawalli Goreela Mosque (Khabarastan Mosque), R/o.H.No. 10/685, Cheropalli, Gooty Village and Mandal, Anantapur District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Minority Welfare Department, A.P. Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Andhra Pradesh State Wakf Board, rep. by its Chief Executive Officer, 4th and 5th Floor, Imdad Ghar, Opp. K.R. Market, Vijayawada, Krishna District, A.P.
3. The Chief Executive Officer, Andhra Pradesh State Wakf Board, 4th and 5th Floor, Imdad Ghar, Opp. K.R. Market, Vijayawada, Krishna District, A.P.
4. A.K. Nazeer Saheb, Addl. Director Sericulture (Retd), Enquiry Officer, APSWB, Vijayawada, R/o. Kurnool City and District, A.P. - 518 001

...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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents more particularly the 3rd Respondent in not considering and passing appropriate

orders on the complaint submitted by the Petitioner dated 05.11.2024 before the 3rd Respondent as against the 4th Respondent for appointing a new enquiry officer in place of the 4th Respondent by modifying the proceedings F.No.08/M/ATP/2016/Z-IV dated 03.08.2023 is being illegal, arbitrary, unconstitutional, in violation of provisions of the Wakf Act, 1995 and rules made there under and consequentially direct the respondents more particularly the 3rd Respondent not to act upon the report if any submitted by the 4th Respondent behind the back of the Petitioner.

IA NO: 1 OF 2024

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 more particularly the 3rd Respondent to consider and pass appropriate orders on the complaint submitted by the Petitioner dated 05.11.2024 as against the 4th Respondent, pending disposal of WP 27111 of 2024, 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 M/s M.Hidayathulla, Advocate for the Petitioner and of GP FOR SOCIAL WELFARE for the Respondent No.1 and of Sri Shaik Khaja Basha, Standing Counsel for Respondent Nos. 2 and 3, the Court made the following

ORDER:

“Heard learned counsel for the petitioner and learned counsel for the respondents.

The respondents are directed not to proceed further on the enquiry report, if any, said to have been submitted by the Enquiry Officer – Respondent No.4, for a period of one week.

For filing counter affidavit in I.A.No.2 of 2024, post after one week.”

//TRUE COPY//

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Minority Welfare Department, State of Andhra Pradesh, A.P. Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Chief Executive Officer, Andhra Pradesh State Wakf Board, 4th and 5th Floor, Imdad Ghar, Opp. K.R. Market, Vijayawada, Krishna District, A.P.
3. The Chief Executive Officer, Andhra Pradesh State Wakf Board, 4th and 5th Floor, Imdad Ghar, Opp. K.R. Market, Vijayawada, Krishna District, A.P. (Addressee Nos. 1 to 3 by **SPECIAL MESSENGER**)
4. A.K. Nazeer Saheb, Addl. Director Sericulture (Retd), Enquiry Officer, APSWB, Vijayawada, R/o. Kurnool City and District, A.P. - 518 001 (by **SPEED POST**)
5. One CC to SRI MASALEGAR HIDAYATHULLA, Advocate [OPUC]
6. One CC to SRI SHAIK KHAJA BASHA, Standing Counsel [OPUC]
7. Two CCs to GP FOR SOCIAL WELFARE, High Court of Andhra Pradesh. [OUT]
8. One spare copy.

PSD

HIGH COURT

NV,J

DATED:18/02/2025

NOTE: POST AFTER ONE WEEK.

ORDER

WP.No.27111 of 2024

DIRECTION

