

[3330]

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

**TUESDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 29643 OF 2025



Between:

Manikyam Arish Ahammad, S/o. Manikyam Basheer, Aged about 39 years,
Occ Business, R/o.D.No.3-88, Darga Street, Kothacheruvu Village and
Mandal, Sri Satya Sai District, A.P.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to 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 & 5th Floor, Imdad Ghar, Opp. K.R. Market, Vijayawada, Krishna District, A.P.
3. The Inspector Auditor Waqfs, Sri Satya Sai District.
4. Sri Manikyam Baba Fakruddin, S/o. M. Khuddus Sab, Aged about 50 years, Occ: Business and Now appointed as Mutawalli of Dargah Hazrath Mastan Vali, Eidgah and Burial Ground, R/o.D.No. 1-144, Boya Veedhi, Kothacheruvu Village and Mandal, Sri Satya Sai District, A.P.

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 impugned order vide F.No.B3/6/ATP/2003 dated 15.10.2025 passed by the 2nd Respondent

notifying the same in A.P. Gazette W.No.43 in Part-II dated 23.10.2025 so far as appointing the 4th Respondent as Mutawalli to the Wakf institutions namely Hazrath Mastan Vali Dargah, Eidgah and Burial Ground and its attached properties in Sy.No.529-1 and 529-2 to an extent of Ac.8.67 cents covered by Shopping Complex located at Kothacheruvu Village and Mandal, Sri Satya Sai District, A.P. for a period of two (2) years for managing the affairs of the same under Section 63 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act, 2025 (UWMEED Act) is being illegal, arbitrary, capricious, unconstitutional, in violation of provisions of the Wakf Act, 1995 and Regulations made therein and also in violation of Interim Orders passed by this Hon'ble Court in IANo.I of 2025 in W.P.No. 11255 of 2025 dated 06.05.2025 and Interim Order passed in I.A.No.I of 2025 in W.P.No.17016 of 2025 dated 11.07.2025.

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 suspend the operation of the impugned order vide F.No.B3/6/ATP/2003 dated 15.10.2025 passed by the 2nd Respondent notifying the same in A.P. Gazette W.No.43 in Part-II dated 23.10.2025 so far as appointing the 4th respondent as Mutawalli to the Wakf institutions namely Hazrath Mastan Vali Dargah, Eidgah & Burial Ground and its attached properties in Sy.No.529-1 & 529-2 to an extent of Ac.8.67 cents covered by Shopping Complex located at Kothacheruvu Village and Mandal, Sri Satya Sai District, A.P. for a period of two (2) years for managing the affairs of the same under Section 63 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act, 2025 (UWMEED Act), Pending disposal of WP 29643 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

Masalegar Hidayathulla, Advocate for the Petitioner, GP for Minority Welfare Respondent No.1 and of Sri Shaik Khaja Basha, Standing Counsel for Respondent Nos.2 to 3 and the Court made the following

ORDER

Admittedly the 2nd respondent has appointed 4th respondent as Mutawalli under Section 63 of the Waqf Act without addressing the representation dated 02.09.2025.

Hence, the 2nd respondent is directed to address the complaint dated 02.02.2026 filed under Section 70, as contemplated under Section 71 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995, within a period of four (4) weeks from today.

List the matter after four (4) weeks.

**Sd/-U.SRIDEVI
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Executive Officer, Andhra Pradesh State Wakf Board, 4th & 5th Floor, Imdad Ghar, Opp. K.R. Market, Vijayawada, Krishna District, A.P.(by RPAD)
2. One CC to Sri Masalegar Hidayathulla, Advocate [OPUC]
3. Two CCs to GP for Minority Welfare, High Court Of Andhra Pradesh. [OUT]
4. One CC to Sri Shaik Khaja Basha, Standing Counsel [OPUC]
5. One spare copy

ADP

HIGH COURT

TRR,J

DATED:10/03/2026

LIST THE MATTER AFTER FOUR (04) WEEKS.

ORDER

WP.No.29643 of 2025

DIRECTION

