

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

FRIDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 29981 OF 2025

Between:

Shaik Mohammed Ismail, S/o Ameer Basha, Aged about 54 years, Occ
Mechanic, R/o Door No.5/60, Dr. Gaffar Street, Osmania College Raod,
Kurnool, City, Kurnool District, Andhra Pradesh

...Petitioner

AND

1. State of Andhra Pradesh, Rep by its Principal Secretary, Minority
Welfare Department, Secretariat, Velagapudi, Amaravathi.
2. Andhra Pradesh State Wakf Board, Imdad Gahr, Kaleswara Market,
Vijayawada. Rep by its Chief Executive Officer.
3. The Inspector Auditor Wakf, Kurnool District.
4. The Muttawali, Sultania Masjid and Sultania Eidgah Institutions, Door
NO.41/327-J3, Kothapeta, Kurnool.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the
circumstances stated in the affidavit filed therewith, the High Court may be
pleased to issue a writ or writs or order or orders one more particularly in the
nature of Writ of Mandamus declaring the action of the 3rd and 4th.
Respondents in interfering with the possession of Petitioner pertaining to shop
in land admeasuring 177 square yards in survey no.383/2 of Kallur area within
Kurnool Municipal Corporation, Kurnool, bounded by East National Higway
No.7, West Eidga Road, North Compound wall of Balaji Petrol bunk. South
Masjid Rasta without following due process of law as illegal, arbitrary and

unconstitutional and consequently direct the 3rd and 4th Respondent not dispossess the Petitioner from the shop in land admeasuring 177 square yards in survey no.383/2 of Kallur area within Kurnool Municipal Corporation, Kurnool, bounded by East National Highway No.7, West Eidga Road, North Compound wall of Balaji Petrol bunk. South Masjid Rasta without following due process of law.

IA NO: 1 OF 2025

Petition under Section 151 of 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 3rd and 4th Respondent not to dispossess the Petitioner from the shop in land admeasuring 177 square yards in survey no.383/2 of Kallur area within Kurnool Municipal Corporation, Kurnool, bounded by East; National Highway No.7, West: Eidga Road, North: Compound wall of Balaji Petrol bunk. South; Masjid Rasta without following due process of law, Pending disposal of WP 29981 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 SYED KHADER MASTAN Advocate for the Petitioner, and of GP FOR SOCIAL WELFARE, for the Respondent No.1, and of SRI SHAIK KHAJA BASHA, Standing Counsel for the Respondent Nos.2 & 3, the Court made the following

ORDER:

Heard Sri Syed Khader Mastan, learned Counsel for the Writ Petitioner, Sri U. Kanaka Raju, learned Government Pleader for Social Welfare appearing for the Respondent No.1 and Sri Shaik Khaja Basha, learned Standing Counsel for Waqf Board (Respondent Nos.2 & 3).

2. Having regard to the averments made in paras 4 and 5 of the Affidavit filed in support of this Writ Petition, there shall be a direction to all the parties to maintain Status-quo obtaining as on today in respect of the Petitioner's shop till the next listing.

3. Sri U. Kanaka Raju, learned Government Pleader for Social Welfare appearing for the Respondent No.1 and Sri Shaik Khaja Basha, learned Standing Counsel for Waqf Board representing the Respondent Nos.2 & 3, are directed to place on record the general guidelines or directions and also the statutory provisions mandating the requirement of the lessees, tenants and licensees to deposit their rentals and lease amounts and any other income meant for the respective institution etc., into the bank account of the respective Institution/Waqf Board. Respondent Nos.1, 2 & 3 are also directed to place on record the list of properties belonging to the Waqf Board and other Institutions under the control of the Waqf Board with the corresponding names of the Mutawallis managing the said properties. These directions shall be carried out within one week from today.

4. Sri U. Kanaka Raju, learned Government Pleader for Social Welfare representing the Respondent No.1 and Sri Shaik Khaja Basha, learned Standing Counsel for Waqf Board representing the Respondent Nos.2 & 3, are directed to convey the gist of this Order to the respective parties forthwith for effective compliance. They are also directed to communicate to Respondent No.4 with regard to the gist of this Order forthwith.

5. Learned Counsel for the Writ Petitioner is directed to take out Urgent Personal Notice in respect of Respondent No.4 within three days from today and file proof of receipt of Notice within three days thereafter.

6. List on 12.11.2025.

//TRUE COPY

**SD/-U.SRI DEVI
DEPUTY REGISTRAR
SECTION OFFICER**

To,

1. The Principal Secretary, Minority Welfare Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi. **(by Special Messenger)**
2. The Chief Executive Officer, Andhra Pradesh State Wakf Board, Imdad Gahr, Kaleswara Market, Vijayawada.
3. The Inspector Auditor Wakf, Kurnool District.
4. The Muttawali, Sultania Masjid and Sultania Eidgah Institutions, Door N0.41/327-J3, Kothrapeta, Kurnool **(Addressees 2 to 4 by RPAD)**
5. One CC to SRI. SYED KHADER MASTAN Advocate [OPUC]
6. Two CCs to GP FOR SOCIAL WELFARE , High Court of Andhra Pradesh. [OUT]
7. One CC to SRI SHAIK KHAJA BASHA, Standing Counsel [OPUC]
8. **One spare copy**

PSR

HIGH COURT

GRKP,J

DATED:31/10/2025

NOTE: List on 12.11.2025.

ORDER

WP.No.29981 of 2025

INTERIM DIRECTION

