

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.4776 of 2014

ORDER:

The relief sought for in this Writ Petition is to declare the action of the respondents in not considering the representations of the petitioner dated 04.02.2014 and 06.02.2014, as arbitrary and illegal.

The dispute in this Writ Petition relates to laying of sewerage pipeline over land belonging to Dargah, Balapur. There appears to be a dispute as to who the Mutawalli of the subject Wakf is. The petitioner, who claims to be the Mutawalli, is aggrieved by a drainage pipeline being laid by the GHMC over the subject land. He apprehends that the pipeline would be laid over the graves in existence on the subject land.

While this allegation is denied both by Sri Nagesh Bhimapaka, learned Standing Counsel for GHMC, and Sri M.A.K.Mukheed, learned Standing Counsel for Wakf Board, it is but appropriate that the officials of the GHMC and the Andhra Pradesh State Wakf Board cause a reverification of the passage through which the pipeline is now sought to be laid; ensure that it does not pass over any religious structure or graves; and, thereafter, decide whether or not to continue laying the pipeline over the subject land.

Both Sri M.A.K.Mukheed, learned Standing Counsel for the Andhra Pradesh State Wakf Board, and Sri Nagesh Bhimapaka, learned Standing Counsel for GHMC, would submit that a joint inspection would be caused; the matter re-examined; and a decision would be taken thereafter, in accordance with law, with regards laying of the drainage pipeline.

Recording the aforesaid submission, the Writ Petition is disposed of. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, J)

28.02.2014

vs