

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 14572 OF 2009

Between:

Mohd. Jaleel Ahmed, S/o. Late Ahmed Mohiuddin, aged 38 years, Occ : Business, R/o. MCH No. 14-1-483, Darusalam, Hyderabad.

...PETITIONER

AND

1. The Secretary to Government, Minority Welfare and Wakf Department Government of Andhra Pradesh, Secretariat buildings, Hyderabad.
2. The Andhra Pradesh State Wakf Board, Hyderabad, Rep. by Chief Executive Officer, Hajj Complex Building, Nampally, Hyderabad.
3. The Commissioner, Greater Municipal Corporation of Hyderabad tank Bund, Hyderabad - 500 029.
4. The Asst. Town Planner, Circle-9, Greater Municipal Corporation of Hyderabad, HUDA Parking Complex, Abid Road, Hyderabad - 500 001.

...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, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondents in respect of the Schedule Property i.e. Dargah Hazrath Dawood Bade Mian Saheb known as Mukka Shah Saheb Rahamthullah with Graveyard MCH.No. 3-4-284 and 285 admeasuring 400 sq.Yds., western side out of the total extent 1905 Sq.Yds., situate at Lingampalli, Hyderabad in not removing and dismantling is illegal, arbitrary, unconstitutional and contravention of the Arts. 14 to 28 and 300-A of the Constitution of India and contravention of the Wakf Act 1995 and Greater Hyderabad Municipal Corporation Act, 1955 and Consequently direct the Respondent to remove the illegal encroachments and dismantle the structures.

I.A. NO: 1 OF 2009(WPMP. NO: 19104 OF 2009)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to prevent the illegal encroachers on the schedule property and making construction or bring to change its nature of the schedule property i.e. Dargah Hazrath Dawood Bade Mian Saheb Known as Mikka Saheb Rahamthullah with Graveyard MCH No. 3-4-284 and 285 admeasuring 400 sq.yds, western side out of the total extent 1905 Sq.Yds, situated at Lingampalli, Hyderabad pending disposal of the above writ petition

LA. NO: 2 OF 2009(WPMP. NO: 31768 OF 2009)

Between:

Mohd. Jaleel Ahmed, S/o. Late Ahmed Mohiuddin, aged 38 years, Occ : Business, R/o. MCH No. 14-1-483, Darusalam, Hyderabad.

...PETITIONER/PETITIONER

AND

1. The Secretary to Government, Minority Welfare and Wakf Department Government of Andhra Pradesh, Secretariat buildings, Hyderabad.
2. The Andhra Pradesh State Wakf Board, Hyderabad, Rep. by Chief Executive Officer, Hajj Complex Building, Nampally, Hyderabad.
3. The Commissioner, Greater Municipal Corporation of Hyderabad tank Bund, Hyderabad - 500 029.
4. The Asst. Town Planner, Circle-9, Greater Municipal Corporation of Hyderabad, HUDA Parking Complex, Abid Road, Hyderabad - 500 001.

...RESPONDENTS/RESPONDENTS

5. The Superintending Electricity Engineer, Operation, Central Circle, Mint Compound, Hyderabad.
6. The Executive Engineer, HMWW&S B., Zone - V, Narayanguda, Hyderabad - 500029.
7. Mohd Khaja Nazeemuddin Khan, S/o. not known to the Petitioner, aged 38 years, Occ : Business, R/o.H.No.3-4-285, Darga Mukke-shah, Lingampally, Hyderabad - 500 027.
8. C.Gopal Reddy, S/o. Not known, aged 38 years, Occ : Business, R/o.H.No.3-4-285, Darga Mukke-shah, Lingampally, Hyderabad - 500 027.

.....PROPOSED RESPONDENTS No.4 to 8

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased implead proposed Respondents 5 to 8 herein as party Respondents 5 to 8 in the Writ Petition No. 14572/2009 with WPMP No. 19104/2009 and with a consequential direction to the 5th and 6th Respondents not to give connection of Water, Sewerage, Electricity to the proposed Respondents 7 to 8 in respect of the Wakf Property, pending disposal of the above Writ Petition.

Counsel for the Petitioner : SRI.M.T.GHORI

Counsel for the Respondent No.1 : GP FOR SOCIAL WELFARE

Counsel for the Respondent No.2 : SRI.M.A.K.MUKHEED

Counsel for the Respondent Nos.3 & 4 : SRI Pasham Krishna Reddy

Counsel for the Respondent Nos.7 & 8 : SRI SRINIVASA RAO VELIVELA

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.14572 OF 2009

ORDER:

Even though the matter being listed under the caption 'for orders', there is no representation on behalf of the petitioner. It appears that the petitioner has no interest to pursue the matter.

2. Under these circumstances, this Writ Petition is dismissed for default.

Miscellaneous Petitions pending, if any, shall stand closed.

No costs.

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CC to GP FOR SOCIAL WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI.M.T.GHORI, Advocate [OPUC]
3. One CC to SRI.SREENIVASA'RAO VELIVELA, Advocate [OPUC]
4. One CC to SRI.M.A.K.MUKHEED, Advocate [OPUC]
5. One CC to SRI.Pasham Krishna Reddy
6. Two CD Copies
7. One spare copy

SA
BS

HIGH COURT

DATED:31/01/2022

ORDER

WP.No.14572 of 2009



DISMISSING THE W.P

FOR DEFAULT WITHOUT COSTS.

Avr
21/2/2022 (9)