

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)**



MONDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 10260 OF 2023

Between:

1. K M Safiullah, S/o. Late K.M.Rahmatullah, Aged about 79 years, Occ. Muthavalli (allegedly under suspension), R/o. 6-684, Ramnagar, Ananthapuramu, Ananthapuramu District.
2. K.M. Shakeel Safi, S/o. K.M. Safiulla, Aged about 57 years, Muthavalli Jamia Mosque, Ananthapuramu (Allegedly under suspension), R/o.H.No. 6-684A, Ramnagar, Ananthapuramu.

...Petitioners

AND

1. State of Andhra Pradesh, Minorities Welfare Department, Secretariat, Velagapudi, Amaravathi, Guntur District. Rep. by its Principal Secretary.
2. AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District. Rep. by its Chief Executive Officer.
3. The Chief Executive Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
4. The Competent Authority/Special Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
5. Smt.Shaik Shereen Begum, Special Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
6. The Deputy Secretary/Enquiry Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
7. Enquiry Officer/ Special Task Force Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.

...Respondents

WHEREAS the Petitioners above named through their Advocate Sri E Sambasiva Pratap presented this 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 of Mandamus or any other appropriate writ or direction declaring the Gazette Notification No.318 (G3677) dated 15.03.2023 (Vide G.O.Rt.No. 70, Minority Welfare (IDM-1), dated 14-03-2023 of 1st respondent, appointing 4th respondent, Competent Authority/Special Officer by invoking the power purportedly under section 99 of Waqf Act 1995 and consequential proceedings of 3rd respondent in F.No.B3/01/ATP/2003/Z-4 dated 23.03.2023, communicating the order of 4th respondent, where under the petitioners were suspended beyond the period of (10) ten days under sub-section

5 of section 64 of the Wakf Act being bad, illegal, arbitrary, without Jurisdiction and contrary to the provisions of section 99 and 64 of the Wakf Act, without competence besides offending Articles 14, 25 and 26 of Constitution of India and consequentially to set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri E SAMBASIVA PRATAP Advocate for the Petitioners and of GP for Social Welfare for Respondent No.1, Sri Arifulla, Standing Counsel for Respondent Nos.2, 3, 4, 6 & 7, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary State of Andhra Pradesh, Minorities Welfare Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Chief Executive Officer AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
3. The Chief Executive Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
4. The Competent Authority/Special Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
5. Smt.Shaik Shereen Begum, Special Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
6. The Deputy Secretary/Enquiry Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
7. Enquiry Officer/ Special Task Force Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 16.06.2023, on which date the case stands posted for hearing.

**The Court made the following
ORDER:**

"Notice before admission.

**Sri Arifulla, learned Standing counsel takes notice on behalf of
the respondent nos.2,3,4,6&7.**

**Learned counsel for the petitioners is permitted to take out
personal notice on the 5th respondent and file proof of service before
the Registry.**

Post on 16.06.2023."

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For , SECTION OFFICER

To,

1. The Principal Secretary State of Andhra Pradesh, Minorities Welfare Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Chief Executive Officer AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
3. The Chief Executive Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
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6. The Deputy Secretary/Enquiry Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District.
7. Enquiry Officer/ Special Task Force Officer, AP State Wakf Board, Imdad Ghar, Bhavanipuram, Vijayawada, Krishna District **(1 to 7 by RPAD- along with a copy of petition and Affidavit)**
8. One CC to Sri. E Sambasiva Pratap, Advocate [OPUC]
9. One CC to Sri Arifulla, Standing Counsel [OPUC]
10. Two CCs to GP for Social Welfare, High Court of Andhra Pradesh. [OUT]
11. One spare copy.

MSB

HIGH COURT

RC,J

DATED:24/04/2023

ORDER

POST ON 16.06.2023

NOTICE BEFORE ADMISSION

WP.No.10260 of 2023

