



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

ANDHRA PRADESH STATE WAQF BOARD,
4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.12162/CTR/M/2011/Z-V.

Date:21 -07-2025.

TIRUPATI DISTRICT (ERSTWHILE CHITTOOR DISTRICT) - OLD MASJID WELL KNOWN AS MASJID-E-QADEEM SITUATED AT PEDDA PEERLA STREET TIRUPATI TOWN - Sri SHAIK MOHAMMED AND Sri SHAIK IBRAHIM SONS OF LATE SHAIK LAL AHMED APPOINTED AS MUTAWALLIES U/sec.63 OF THE UNIFIED WAQF MANAGEMENT, EMPOWERMENT, EFFICIENCY AND DEVELOPMENT ACT, 1995 AS AMENDED BY THE WAQF (AMENDMENT) ACT, 2025 FOR A PERIOD OF TWO (2) YEARS.

Read : 1.Boards Proceedings in F.No.12162/CTR/M/2011/Z-VI, Dt:10-05-2012.

2.Representation received from Sri Shaik Lal Ahmed S/o. Mahaboob Saheb Mutawalli, Dated:08-05-2023

3. Report of the Inspector Auditor Waqfs, Tirupati District vide Lr.No. IAW/CTR/26/2011-TPT, dated:29-08-2023.

4.This office paper Notification in F.No.12162/CTR/M/2011/Z-IV, Dated: 11-10-2023

5.Report of the Inspector Auditor Waqfs, Tirupati District, vide Lr. No. IAW/CTR/26/2011-DPT, Dated:31-10-2023.

6.Joint representation of Sri Shaik Mohammed and Sri Shaik Ibrahim Sons of late Shaik Lal Ahmed, Mutawalli, Dated:24-12-2024.

7.Compliant petitions dated: Nil received on 03-01-2025, and dated: 06-01-2025 received from the Mussalies/Donars/Chanda dars of Masjid E Qadeem, Tirupati.

- 8.Report of the Inspector Auditor Waqfs, Tirupati District, in F.No.16/IAW/TPT/2025, dated:10-04-2025 along with enclosed copy of orders of the Hon'ble High Court of AP in WP No.5550/2025,Dated: 07-03-2025 and orders in WP.No.6871 of 2025, dated:19-03-2025.
- 9.Board Resolution No.122/2025, dated.28-06-2025.

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ORDER:

The Waqf Institution It is to submit that the Waqf institution namely old Masjid Pedda Perlu street well known as Masjid-e-Qadeem situated at Tirupati Town & District (Erstwhile Chittoor District) is a notified Waqf and got published in the A.P.Gazette No.26, Part-II, Dated: 28-06-1962 at Sl.No.2856 under the Towliath of Sri Shaik Mahaboob and the said notified Mutawalli was expired on 24-05-1979. The Rule of succession to the Office of Mutawalli as hereditary by Custom. The institution is having attached (15) shops.

In the ref. 1st read above. The Board has appointed Shaik Lal Ahmed S/o. Mahaboob Saheb as Mutawalli to the subject institution U/sec.42 of Waqf Act,1995 in place his deceased father.

In the ref.2nd read above, this office has received representation from Shaik Lal Ahmed S/o. Mahaboob Saheb, Mutawalli of the subject institution, wherein he has informed that he has at the age of 81 years and is unable to hold the administration of the subject Waqf institution and requested to appoint his sons namely Sri Shaik Mohammed & Sri Shaik Ibrahim as Mutawallies to the subject institution in his place.

With regards to the above the Inspector Auditor Waqfs, Tirupati District has submitted report vide ref.3rd read above, that the applicants are sons of Mutawalli and managing the affairs of the institution and requested to consider the request of Mutawalli Sri Shaik Lal Ahamed S/o Late Mahaboob Saheb for recognition of his two (2) sons namely Sri Shaik Mohammed and Sri Shaik Ibrhaim as Mutawallies in place of their father to the subject institution.

Subsequently, this office has issued paper notification dated:11-10-2023 vide ref.4th read above, for calling claims / objections if any for recognition of Sri Shaik Mohammed and Sri Shaik Ibrahim as Mutawallies in place their father Sri Shaik Lal Ahmed to the subject Waqf institution and its attached properties U/sec.42 of Waqf Act, 1995.

In the ref.5th read above, the Inspector Auditor Waqf, Tirupati District has reported that the above said paper notification has been published in Praja Shakthi Telugu daily news paper in Tirupati District edition on 14-10-2023 and same notification was affixed on the notice Board of the subject institution and with regard to

the above paper notification and there are no claims and objections were received to the District office and also to the Head office within stipulated period of (15) days from the date of publication.

In the meanwhile a joint representation has been received from Sri Shaik Mohammed and Shaik Ibrahim Sons of late Shaik Lal Ahmed vide ref.6th read above, that Sri Shaik Lal Ahmed, Mutawalli of the subject institution was expired on 14-12-2024 and furnished the copy of death certificate of Sri S Lal Ahmed S/o.Mahaboob Saheb and requested to appoint them as Mutawallis to the subject institution.

In the ref.7th cited, compliant petitions were received against Shaik Lal Ahmed S/o. S Mahaboob Saheb demised Mutawalli, wherein they have alleged that the said institution is having sufficient income but the Mutawalli has not showing the income and expenditure details of the institution, properly not maintain the Budget & Accounts, Ledger Books, Bills and bank Balance and the Mutawalli was executed unregistered mortgage deed in favour of Sayyad Mudhasser and the said money used for his personal befits and finally requested to take action against him for his misappropriation of funds and constitute a new managing committee to the subject institution.

With regard to the above the Inspector Auditor Waqfs, Tirupati District has submitted report vide ref. 8th read above, and stated that Sri. Shaik Mohammed & Sri Shaik Ibrahim S/o. late. Shaik Lal Ahmed Saheb have filed a Writ Petition before the Hon'ble High Court of AP in W.P.No.5550/2025 with a prayer that *“the Respondents in not considering and passing appropriate orders on Petitioners Representation dt: 24-12-2024 seeking to appoint Petitioners Sri Shaik Mohammed and Sri Shaik Ibrahim as hereditary Muthavallis of Masjid e Qadeem Tirupati”*.

After hearing the matter the Hon'ble High Court has disposed the above said Case on 07-03-2025 and passed orders the relevant portion of orders as follows:

“ Given the facts and circumstances of the case, without touching the merits of the matter, the Writ Petition is disposed of at the stage of admission with the consent of both the learned counsel, directing the respondents 2 (i.e. APSWB rep. by its CEO) & 3 (i.e. CEO, APSWB) to consider the representation made by the petitioners vide Ex.P1 and pass appropriate orders, strictly as per the Rule, by issuing notice to all the interested parties, within three (03) months. No order as to costs. As a sequel, pending miscellaneous petitions, if any, shall stand closed”.

Further the I.A. Waqfs, Tirupati District has reported that one Sri Shaik Zigiriya Basha S/o. Shaik Masthan Saheb, R/o. Tirupati District have also filed a Writ Petition before the Hon'ble High Court of AP in W.P.No.6871/2025 with a prayer that *“the*

Respondents in not considering the Representation dt 16-01-2025 submitted by the petitioner to constitute the proposed panel for Khadeem Masjid situated in P P Chavidi Tirupathi Town Tirupathi District and kept pending without passing any orders”

After hearing the matter the Hon'ble High Court has disposed the above said Case on 19-03-2025 and passed orders the relevant portion of orders as follows:

“ However, given the facts and circumstances of the case, this Writ Petition is disposed of at the admission stage, with the consent of learned counsel on either side, directing the learned CEO of the 2nd respondent to place the representation dated 16.01.2025 (Ex.P1) before the Waqf Board within six weeks from the date of this order. Upon placing such representation, the learned Waqf Board shall pass appropriate orders strictly as per law, within eight weeks thereafter. No costs. As a sequel, pending miscellaneous petitions, if any, shall stand closed ”.

The entire matter was placed before the Board in its meeting held on 28-06-2025 and after careful examined the above, “ the Board discussed the matter and unanimously resolved to appoint Sri Shaik Mohammed and Sri Shaik Ibrahim sons of late Shaik Lal Ahmed appointed as Mutawallies U/sec.63 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act,2025 for a period of two (2) years to manage the day to day affairs of the institution and its attached properties” vide resolution No.122/2025, dated:28-06-2025 in the ref.9th read above.

Accordingly, Sri Shaik Mohammed and Sri Shaik Ibrahim sons of late Shaik Lal Ahmed are hereby appointed as Mutawallies U/sec.63 of the Unified Waqf Management, Empowerment, Efficiency and Development Act,1995 as amended by the Waqf (Amendment) Act,2025 for the Waqf institution Old Masjid well known as Masjid-e-Qadeem situated at Pedda Peerla Street Tirupati Town & District for a period of two (2) years for managing the affairs of the subject institution and its attached properties from the date of issue of this orders by following the Unified Waqf Management, Empowerment, Efficiency and Development Act,1995 as amended by the Waqf (Amendment) Act, 2025 and Waqf Rules made therein.

The Mutawallies should discharge his legitimate duties strictly as determined in Section 50 of Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act,2025 read with A.P. Waqf Rules, 2023 and should follow the instructions issued by the Board from time to time and should submit the Accounts U/sec.46, Budget U/sec.44 and pay the Waqf fund to the Board every year duly following the provisions laid down U/sec.72 & 77 of Unified Waqf Management, Empowerment, Efficiency and Development Act,1995 as amended by the Waqf (Amendment) Act,2025 properly. Failing which action will be taken against him

U/Sec.61 and 64 as read the afore mentioned (Amendment) Act, 2025 and the duties mentioned below:

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board, to allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- c) To discharge all public duties. To do any other Act which he is Lawfully required to do so or under this Act.
- d) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- e) The Mutawallies should follow the Norms fixed under Section 56 of Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act, 2025 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 while leasing of attached Waqf properties through A.P. State Waqf Board and also shall follow the Rule 15 made in the Waqf properties lease Rules 2014.
- f) The Mutawallies shall open account in any Nationalized Bank and all the transactions shall be reflected therein.
- g) Further subject to the condition that if any future claims / objections are received on the said appointment appropriate decision will be taken as per law.
- h) The Mutawallies appointed U/sec.63 shall handed over charge along with records after expiry of term to the Inspector Auditor Waqfs, by default

As per Sec.101(2) of Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act, 2025 " every Mutawalli of a Waqf, every member of Managing Committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also to be deemed as a public servant within the meaning of "Clause (28) of section 2 of the Bhartiya Nyaya Sanhita, 2023". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawallies shall also noted that Sec.3(ee) defined encroacher, and also penalty for alienations of Waqf property without sanction of the Board shall be punishable with (imprisonment) for a term which may extend to (2) years U/sec.52-A and section 61 speaks penalties for the lapses/ charges shown therein, hence should act carefully, diligently and maintain accounts scrupulously as specified under this Act.

APSWB reserves its right to modify / cancel / alter / withhold the order at any time without assigning any reasons thereof.

SHAIK MOHAMMAD ALI,
Chief Executive Officer (FAC),
A.P. State Waqf Board, Vijayawada.

To

1. Sri Shaik Mohammed S/o late Shaik Lal Ahmed
2. Sri Shaik Ibrahim S/o late Shaik Lal Ahmed,
Mutawallies of Old Masjid well known as Masjid-e-Qadeem
situated at Pedda Peerla Street Tirupati Town & District.