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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.11/T/KNL/2012-Z-IV.

Date:24-12-2025.

KURNOOL DISTRICT - SAWATH KHAN MASJID AND ITS ATTACHED PROPERTIES SITUATED AT KURNOOL CITY - (1) Sri SYED HYDERUL HASAN QADRI AND (2) Sri SYED MOHAMMED TAHER QADRI SONS OF ' LATE SYED MOHAMMED BASHA QADRI APPOINTED AS JOINT MUTAWALLIES U/sec.42 OF THE UMEED ACT, 1995 AS AMENDED BY THE WAQF (AMENDMENT) ACT, 2025.

- Read :
1. Board Proceedings in F.No.A1/KNL/91/83, Dated:17-07-1985.
 2. Board Proceedings in F.No.2/KNL/B3/95, Dated:22-08-1996.
 3. Board Proceedings in F.No.06/KNL/K/2012/Z-IV, Dated:17-03-2012.
 4. Joint representation of Sri Syed Hyderul Hasan Qadri and Sri Syed Mohammed Taher Qadri sons of late Syed Mohammed Basha Qadri, Dated:14-12-2024, 11-02-2025 & 21-07-2025.
 5. Report of the Inspector Auditor Waqfs, Kurnool District, Dt:24-07-2025.
 6. Board Resolution No.230/2025, Dated:17-09-2025.
 7. Joint representation of Sri Syed Hyderul Hasan Qadri and Sri Syed Mohammed Taher Qadri R/o. Kurnool Dated:12-11-2025.
 8. Board Resolution No. 303/2025, Dated:20-11-2025.
 9. MoU dated: 24/12/2025 executed in pursuance of the Board's Resolution No.303/2025, dt.20-11-2025.

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ORDER:

The Waqf institution namely Sawath Khan Mosque, situated at Budhawarpeta, Kurnool is a notified Waqf and got published in the A.P. Gazette No. 43-A, Part-II, Dated.24-10-1963 at Serial No.3169 in page No.36 & 37 under the Towliath of " Sayed Fetha and as per the Survey Commissioner of Waqfs A.P. report in the year 1956 the name of the Mutawalli specified as "Syada Pasha Beebi Sahiba W/o. Syed Khutbuddin Khaderi" and the Rule of succession to the Office of the Mutawalli specified as " Hereditary by Custom". The Institution is having attached properties under TD.No.with corresponding Sy.No.590 to an extent of Ac.0.05 cts, Sy.No.590/2B to an extent of Ac.0.18 cts, Sy.No.896/A to an extent of Ac.2.20 cts, Sy.No.775/A to an extent of Ac.5.70 cts, in TD.No.820 covered in Sy.No.151/A to an extent of Ac.28.05 cts, Sy.No.221 to an extent of Ac.0.65 cts, Sy.No.227 to an extent of Ac.37.50 cts, in TD.No.3820 covered in Sy.No.160/B2 to an extent of Ac.2.26 cts, Sy.No.159/A/2B to an extent of Ac.0.22 ct, Sy.No.144/1 to an extent of Ac.2.60 cts, Sy.No.81 to an extent of Ac.5.83 cts, Sy.No.97 to an extent of Ac.2.03 cts, in TD.No.3820 of Kurnool covered in Sy.No.253/1A to an extent of Ac.2.01 cts, Sy.No.259 to an extent of Ac.0.35 cts, Sy.No.262/2 to an extent of Ac.0.33 cts, Sy.No.255 to an extent of Ac.3.70 cts. Sy.No.258 to an extent of Ac.0.44 cts, in TD.No.1007 covered in Sy.No.358 to an extent of Ac.19.44 cts, Sy.No.664 to an extent of Ac.2.00 cts, Sy.No.180 to an extent of Ac.23.90 cts total to an extent of Ac.135.49 cts.

In the ref.1st read above, Dt.17.07.1985 the Board had appointed Sri Mohd. Basha Quadri as Mutawalli to the subject institution and its attached properties in place of Smt. Syeda Pasha Bibi. Due to allegations that he got Royathwari Patta under the Inam Abolition Act from the Revenue Dept., and mismanagement of the Institution the Board had removed Sri Mohd. Basha Quadri from the post of Mutawalli and taken institution vide ref.2nd read above Dt.22.08.1996 under direct management.

In the ref.3rd read above, Dt.17.03.2012 the Board has constituted a Managing Committee to the subject institution under presidentship of Sri Akram Basha and (10) others for managing the affairs of the subject institution for period of (2) two years and the said period was expired.

In the ref.4th read above, Dt.14.12.2024, 11.02.2025 & 21.07.2025 joint representation are received from Sri Syed Hyderul Hasan Qadri and Sri Syed Mohammed Taher Qadri S/o. late Syed Mohammed Basha Qadri, that they are the legal heirs and managing affairs of the Masjid, paying electricity Bills.

Further stated that the attached properties are going to encroach by the encroachers and making efforts for saving the vacant lands from the land grabbers. Due to non appointment by the Board as Mutawallies that they are facing huge difficulties for protection of the value properties and the land grabbers are taking advantage to encroach the land and finally they requested to consider their request and appoint them as Mutawallies in place of their late grandmother Syeda Pasha Beebi Sahiba who was notified Mutawallia of the subject Masjid.

The Inspector Auditor Waqfs, Kurnool District has submitted his detailed report vide ref.5th read above Dt.24.07.2025 that the subject Waqf Institution are having attached properties in Sy.No.227 to an extent of Ac.37.50 cts Sy.No.180 Ac.23.90 cents, (which are under encroachment), Sy.No.151 Ac.28.05 (out of Ac.28.05 cts the Board has given the lease to Fruit Market Ac.10.00 cts), Sy.No.255 Ac.3.70 cts, Sy.No.253 Ac.2.01 cts, Sy.No.259 Ac.0.35 cts and Sy.No.262/2 to an extent of Acs.0.33 cts (are vacant around some persons have illegally installed the bunks Petti shops). After the expiry of Smt. Syeda Pasha Beebi Sahiba, notified Mutawalli on 20-04-1978, the then Board was appointed Sri. Mohammed Basha Qadri, as Mutawalli in place of his deceased mother vide proceeding No.A1/KNL/91/83, dated:17-07-1985 and he managed the institution upto 08-01-2013. Meanwhile, the Board has constituted Managing committee to the subject Institution to look after the day to day affairs of the institution and its attached properties.

Further the Inspector Auditor Waqfs, has reported that on inspection of subject Masjid, he found that at present the applicants Sri Syed Hyderul Hasan Qadri and Sri.syed Mohammed Taher Qadri are maintaining the subject Masjid, Paying electricity bills, salaries to Pesh Imam and Mouzan, apart from they are trying to protect the attached properties. The Board Permits the applicants are ready to do barbed wire fencing to the Vacant Waqf land situated besides Collector's Office i.e. Sy.No.253 and 255 and making correspondences with the officials for removal of encroachment on the Waqf lands attached to subject Waqf Institution, further the applicants are legal heirs of the notified Mutawalli and for support of their claim they have submitted death, family member certificate of Sri Syed Mohammed Basha Quadri, NOC from the family members, Form-I and paid Waqf Fund also vide Receipt No.3135/63.

Finally the I.A.Waqfs, Kurnool District requested to consider the request of the applicants Sri. Syed Hyderul Hasan Qadri and Sri Syed Mohammed Taher Qadri to recognize them as Mutawallis in place of their deceased grandmother of late Smt Syeda Pasha Beebi Sahiba to the subject Waqf Institution and its attached Waqf properties U/sec.42 of the Waqf Act.

The above matter was placed before the Board in its meeting held on 17-09-2025 and the Board unanimously resolved vide ref.6th read above, to make spot of the Mosque and its attached properties for development, protection and generating income.

In the meanwhile, a joint representation has been received vide ref.7th read above Dt.12.11.2025 from Sri Syed Hyderul Hasan Qadri and Sri Syed Mohammed Taher Qadri, stating that " they have filed an application to recognize them as Mutawalli to Sawath Khan Masjid and its attached properties under Hereditary ship, and consent letter that they will not obstruct the APS Waqf Board in Development of any properties attached to the Sawath Khan Masjid situated at Budwarpet, Kurnool, the details of immovable property or properties to be leased out by the Waqf Board as required under Clause 15 of the Waqf properties Lease Rules, 2014, and also they will take prior permission from the Waqf Board as required under Clause 13 of the Waqf properties Lease Rules 2014 for grant of lease of any property. Finally they requested to consider their application and recognize them as Mutawllies of Sawath Khan Masjid, Budawarpet, Kurnool District U/sec.42 of the Waqf Act".

Accordingly the entire matter was placed before the Board in its meeting held on 20-11-2025 and the Board after carefully examined the matter and Board passed resolution vide ref.8th read above Dt.20.11.2025 as detailed below:

"The Board discussed the matter in length keeping in view of the developmental proposal taken up by the Board and considering the under taking submitted by the above two applicants and also taking under consideration of the earlier Resolution No 230/2025 dated 17-9-2025 the Board unanimously resolved as follows:

- A) Appoint (1) Sri Syed Hyderul Hasan Qadri and (2) Sri Syed Mohammed Taher Qadri S/o Syed Mohammed Basha Qadri as joint Mutawallies U/se 42 of UWMEED Act, 1995 amended by the Waqf (Amendment) Act, 2025 with a condition that they shall enter into an MoU with Waqf Board prepared by the Sr. Advocate of the Board, in respect of the vacant viable properties proposed for development by the Board and administration of Waqf.
- B) The joint Mutawallies shall look after the affairs of the subject institution only and shall not interfere with the attached properties till further orders.
- C) to make spot inspection of the subject Mosque and its attached properties proposed for development, protection and generating income, by the Hon'ble Chairperson and the Hon'ble Board members as well as officials of the Board.
- D) The Hon'ble Chairperson, APSWB is authorized to appoint a suitable Executive Officer and to approve all the decision of the Board.
- E) The Chief Executive Officer, AP State Waqf Board is requested to take further necessary action including eviction of the encroachments of the property in the matter".

In compliance to the decision of the Board and thereupon the orders of the Hon'ble Chairperson, APSWB, a Memorandum of Understanding (MoU) vide ref.9th read above DT.24.12.2025 is entered by the Joint Mutawallies i.e. 1) Sri Syed Hyderul Hassan Qadri and 2) Sri Syed Mohammed Taher Qadri Sons of late Syed Mohammed Basha Qadri of the Kurnool town of the subject Waqf institution with the A.P.State Waqf Board, rep. by its Chief Executive Officer, Imdadghar, K.R.Market, Vijayawada.

Accordingly, Sri Syed Hyderul Hassan Qadri and Sri Syed Mohammed Taher Qadri sons of late Syed Mohammed Basha Qadri are hereby appointed as Joint Mutawallies to the Waqf institution namely Sawath Khan Masjid Kurnool City & District U/sec 42 of UWMEED Act, 1995 amended by the Waqf (Amendment) Act, 2025, to manage the day to day affairs of the subject Masjid only since the forefathers have alienated the attached properties of the subject Waqf institution and the legal heirs have not taken any action for recovery of the properties and The Joint Mutawallies shall strictly follow / abide by the terms and conditions of the Memorandum of Understanding executed on 24.12.2025 with the Waqf Board. This Proceedings shall be read with the MoU executed, which is enclosed herewith.

The Inspector Auditor Waqfs, Kurnool District, is hereby appointed as Executive Officer U/s.38 of UWMEED Act 1995 as amended by the Waqf (Amendment) Act, 2025 and the E.O. shall manage the properties as per the terms and conditions of the Memorandum of Understanding Dt.24.12.2025 executed.

The Joint Mutawallies shall open Bank A/c. in the name of Waqf institution in any nationalized Bank within a period of two days from the date of issue of this proceedings

and the accounts shall be operated jointly with the Executive Officer appointed. A copy of the Bank Account Pass Book shall be submitted in the Waqf Board.

The joint Mutawallies should discharge their legitimate duties strictly as determined in Section 50 of the Act as mentioned above and shall 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 E.O / 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) They shall render proper and correct accounts of the Institution.
- f) If any future claims / objections are received on the said Hereditary-ship appropriate decision will be taken as per law.

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 Mutawalli 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.

The 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 Syed Hyderul Hasan Qadri S/o. late Syed Mohammed Basha Qadri,
 - 2) Sri Syed Mohammed Taher Qadri S/o. late Syed Mohammed Basha Qadri,
- Joint Mutawallies of Sawath Khan Masjid, Kurnool City & District.

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