

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

THURSDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

HONOURABLE THE CHIEF JUSTICE LISA GILL

AND

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT APPEAL NO'S: 722, 731 & 739 OF 2026

APHC010317572026



WRIT APPEAL NO: 722 of 2026

Writ Appeal under Clause 15 of the Letters Patent is preferred against the Order dt 18-06-2026 in W.P. No. 15440 of 2026 on the file of the High Court.

Between:

Sk. Suleman, S/o. (Late) Sk. Sarvar Saheb, aged about 53 years, Occ: Mutawalli, R/o. 8-6-1, WynchPet, Runhusan Panja, Vijayawada - 520 001.

...Appellant/Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary Minorities Welfare Dept Secretariat, at Velagapudi Guntur District AP - 522237.
2. Waqf Board of Andhra Pradesh, Rep By Its Chief Executive Officer, Vijayawada. NTR Krishna District-520001.
3. Survey Commissioner of Waqf, Govt of Andhra Pradesh, Secretariat, Velagapudi. Guntur District-522237

4. The Inspector and Auditor of Waqf, O/O Colleterate, NTR (Krishna) District-520002
5. The Vijayawada Municipal Corporation, Rep By. Its Commissioner, Vijayawada. NTR Krishna District-520001.
6. The Commissioner of Police, Vijayawada City Police, Vijayawada-520010.
7. Sheikh Jeelani @ Saida, s/o Sk Mehaboob, Aged about 40 Years R/O.D No 8-6-1 , Panja Centre, Wynchpet, Vijayawada 520001.

...Respondents/Respondents

IA NO: 1 OF 2026

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 direct the respondents to permit the conduct the petitioner and his rival 7th Respondent to conduct the Muharram procession for Lanka Peer Panja RunHussain Peer Panja at Vijayawada Jointly as directed by this Hon'ble court in WP No 21670 and 24071 of 2022 dated 05-08-2022, pending disposal of this appeal.

IA NO: 2 OF 2026

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 suspend the common order dated 18-06-2026 in W.P. No. 15440 of 2026 on the file of this Hon'ble court, pending disposal of this appeal.

Counsel for the Petitioner: SRI T RAGHU PRASAD

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

Counsel for the Respondent No.5: SRI S.V.S.S.SIVARAM, SC For VMC

Counsel for the Respondents No.2 to 4: SRI SHAIK KHAJA BASHA

Counsel for the Respondent No.6: GP FOR HOME

Counsel for the Respondent No,7: None appeared



WRIT APPEAL NO: 731 OF 2026

Writ Appeal under Clause 15 of the Letters Patent is preferred against the orders dt 18-06-2026 in W.P. No. 13245 of 2026 on the file of the High Court.

Between:

Sk Suleman, S/o. (Late) Sk. Sarvar Saheb, aged about 53 years, Occ: Mutawalli. R/o. 8-6-1, WynchPet, Runhusan Panja, Vijayawada - 520 001.

...Appellant/3rd Party

AND

1. Shaik Jilani @ Saida, S/o. Mahaboob, aged about 39 years, Occ: Notified Hereditary Mutawalli Lanka Peer Run Panja, D.No.8-6-1, Panja centre, Vijayawada, AP. **...Respondent /Petitioner**
2. A.P State Waqf Board, Rep. by its Special Officer/Chief Executive Officer, Vijayawada.
3. Chief Executive Officer, A.P. State Waqf Board Vijayawada-520001
4. State of Andhra Pradesh, Rep. by its Principal Secretary, Minorities Welfare Dep Secretariat at Velagapudi, Guntur District, AP. 522238
5. The Station House Officer, II-Town Police Station, Vijayawada.520010
6. The Commissioner of Police, Police Commissionerate, Vijayawada.520010
7. The Vijayawada Municipal Corporation, Represented by its Commissioner, Vijayawada, Krishna District. 520001

...Respondents/Respondents

IA NO: 1 OF 2026

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 dispense with the filing of certified copy of the common order dated 18-06-2026 in W.P. No. 13245 of 2026 on the file of this Hon'ble court.

IA NO: 2 OF 2026

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 grant leave to the petitioner/ Appellant to file the above appeal against the common order dated 18-06-2026 in W.P. No. 13245 of 2026 on the file of this Hon'ble court .

IA NO: 3 OF 2026

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 suspend the common order dated 18-06-2026 in W.P. No. 13245 of 2026 on the file of this Hon'ble court, pending disposal of this appeal.

Counsel for the Petitioner: SRI T RAGHU PRASAD

Counsel for the Respondent No.1:SRI M V RAJA RAAM

Counsel for the Respondents No.5 & 6: GP FOR HOME

Counsel for the Respondent No.4:GP FOR SOCIAL WELFARE

Counsel for the Respondents No.2 & 3:SHAIK KHAJA BASHA

Counsel for the Respondent No.7: SRI S.V.S.S.SIVARAM SC For VMC



WRIT APPEAL NO: 739 OF 2026

Writ Appeal under Clause 15 of the Letters Patent is preferred against the orders dated 18.06.2026 in W.P.No.15742/2026 on the file of the High Court.

Between:

Shaik Jeelani, S/o Mahaboob, Aged about 42 years, Hereditary Mutawali, Run Hussaini Peerla Panja, D.No. 8-6-1, Panja Centre, Wynchipet, Vijayawada, NTR District.

...Appellant/s

AND

1. Shaik Akthar Basha, S/o Late Sarvar, Aged 43 years, R/o D.No. 8-6-1, Panja Centre, Wynchipet, Vijayawada, NTR District - 520001.

...Respondent No.1/Writ Petitioner

2. The State Of Andhra Pradesh, Rep by its Principal Secretary Home Department Secretariat Velagapudi Amaravathi Guntur District Andhra Pradesh Pin code 522 238.
3. The Director General of Police, Mangalagiri Guntur District Andhra Pradesh Pin code 522 503.
4. The Assistant Commissioner of Police, West Zone Vijayawada City Vijayawada Andhra Pradesh Pin code 520 001
5. The Inspector of Police, 1Town Police Station Vijayawada Andhra Pradesh Pin code 520 003.

...Respondents/Respondents NO.1 to 4

IA NO: 1 OF 2026

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 dispense with the Certified Copy of the order passed in impugned order passed in W.P. No. 15742 of 2026, dated 18.06.2026 on the file of this Hon'ble Court, in the above Writ Appeal.

IA NO: 2 OF 2026

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 permit the petitioners/appellants to filed additional documents in the above writ appeal.

IA NO: 3 OF 2026

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 suspend the operation of the order passed in W.P. No. 15742 of 2026, dated 18.06.2026 pending disposal of this Writ Appeal by allowing the Petitioner/Appellant to perform Moharram Festival till 25.06.2026.

Counsel for the Petitioner: CORPUS JURIS LAW PANEL LLP

Counsel for the Respondent No.1:SRI GIRI BABU MARTHI

Counsel for the Respondents No.2 to 5: GP FOR HOME

The Court made the following Order:

APHC010317572026

**IN THE HIGH COURT OF ANDHRA PRADESH** Bench Sr.No:-56
AT AMARAVATI [3580]**WRIT APPEAL NOS: 722, 731 & 739 of 2026****W.A.No.722 of 2026**

...Appellant

Sk Suleman

Vs.

The State Of Andhra Pradesh and Others

...Respondent(s)

Advocate for Appellant:

T RAGHU PRASAD

Advocate(s) for Respondent(s):

GP FOR HOME, GP FOR SOCIAL
WELFARE, S.V.S.S.SIVARAM SC For
VMC, SHAIK KHAJA BASHA**CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE R RAGHUNANDAN RAO****DATE : 25th June 2026****P C :**(per Hon'ble Sri Justice R. Raghunandan Rao)

As these three Writ Appeals are centered around the same dispute, they are being disposed of, by way of this common Judgment.

2. The appellant in W.A.No.722 of 2026 and W.A.No.731 of 2026 (hereinafter referred to as the appellant) had filed W.P.No.13245 of 2026 and W.P.No.15440 of 2026 before this Court. Both these Writ Petitions were

disposed of, by way of a common order dated 18.06.2026. Aggrieved by the said order, appellant had moved these two Writ Appeals before this Court. The brother of appellant in W.A.No.722 of 2026 and W.A.No.731 of 2026, had filed W.P.No.15742 of 2026 before this Court. A learned single judge of this Court, had passed an interlocutory order, dated 18.06.2026. Aggrieved by the said order, the 5th respondent in that Writ Petition filed W.A.No.739 of 2026. It may also be noted that the said 5th respondent was arrayed as respondent No.7 in W.A.No.722 and 731 of 2026 (hereinafter referred to as the 7th respondent).

3. The controversy in the present case arises out of the question as to who should conduct the Muharam procession for the Run Hussaini Peerla Panja at Vijayawada. The appellant in W.A.No.722 and 731 of 2026 is one branch of descendants of late Dada Saheb who is said to have established the Panja. The 7th respondent also claims descent from Janab Dada Saheb. However, they fall in different branches of the family.

4. It appears that the father of appellant had functioned as muthawalli of the Wakf Institution till he passed away in 2015. Thereafter disputes arose as to who should be recognized as the muthawalli. It appears that both sides had been Filing representations before the A.P. Wakf Board for being appointed as the muthawalli. As there was some delay in the Wakf Board taking a decision in the matter, disputes arose as to who should be conducting the ceremonies and the processions in relation to Muharam every

year. It is an admitted fact that 7th respondent had been conducting the ceremonies and the procession for the last 3 years or so. The parties had also been approaching this court from time to time on the question of who should be conducting the ceremonies and processions.

5. After the demise of the father of appellant, 7th respondent sought to be appointed as muthawalli by hereditary succession on the ground that his great grandfather was the muthawalli. On this basis, 7th respondent was appointed as interim muthawalli for a period of 2 years from 2022 to 2024. However, the dispute as to who should be conducting the ceremonies and the processions for Muharam remained a matter of dispute between the appellant and 7th respondent. The said question came up for consideration in W.P.No. 21670 of 2022 in which a division bench of this court had directed appellant as well as 7th respondent to conduct the procession in two shifts, on the same day. Thereafter, it appears that 7th respondent has continued to conduct the Muharam ceremonies and processions for the past three years.

6. In fact, 7th respondent had conducted the Muharam ceremonies and processions for the year 2025, under an order of this Court, dated 03.07.2025 in W.A. No. 752 of 2025.

7. Though a long list of Writ Petitions and Writ Appeals had been filed, this Court does not propose to go into these issues. It would suffice to notice the order in W.P.No. 15440 and 13245 of 2026, dated 18.06.2026, and the interlocutory order passed, on 18.06.2026, in W.P.No. 15742 of 2026.

8. The appellant had filed an application to accord permission to appellant to conduct the Moharam procession, for the year 2026. As this application came to be dismissed, the appellant filed W.P.No.15440 of 2026. The 7th respondent had also filed representations, dated 16.05.2024 and 11.02.2023, to recognize him as the muthawalli and to conduct the Muharram Festival to be held from 15.06.2026 to 29.06.2026. As these applications were not being considered the appellant filed W.P.No.13245 of 2026 seeking a direction for an early disposal of his representations. A learned Single Judge had held that the order of the State Wakf Board, dated 09.06.2026, permitting 7th respondent to conduct the procession during the period 15.06.2026 to 30.06.2026 was passed on the basis of the earlier permissions given and the same does not require any interference. As far as W.P.No. 13245 of 2026 is concerned the learned single judge had directed that the issue be decided and a permanent muthawalli be appointed to the subject panja, in accordance with law, after affording a fair and reasonable opportunity to both sides. Aggrieved by these two orders, the appellant filed W.A.No. 731 of 2026 and W.A.No. 722 of 2026.

9. While these two writ appeals were pending, the brother of appellant appears to have moved W.P.No.15742 of 2026 contending that brother of the appellant was in possession of the panja and that 7th respondent with the assistance of the police authorities was interfering with the possession and interest over the property. The Petitioner in W.P.No.15742

of 2026 relied upon the proceedings in O.S.No. 883 of 2016 on the file of the II Additional Junior Civil Judge, Vijayawada which had been filed by 7th respondent. The contention raised in the said petition was that the suit filed by 7th respondent had come to be dismissed and that I.A.No. 546 of 2018 seeking temporary injunction, filed in this suit also came to be dismissed and as such 7th respondent did not have any right or title over the property where the panja is situated.

10. A learned single judge after taking note of these facts had directed the respondent police not to interfere with the petitioner's possession with respect to the subject property without any legal cause.

11. This Court is aware of the fact that the procession is to be held tomorrow. The fact remains that the Wakf Board, which is the appropriate authority to decide on the question of who should be appointed as muthawalli and who should conduct the affairs of a wakf institution, had passed an order dated 09.06.2026 permitting 7th respondent to conduct Muharram celebrations during the period 15.06.2026 to 30.06.2026. The period for which the permission has been given had commenced sometime back. This proceeding has not been challenged by the Appellant. In such circumstances the view of the learned single judge that the order permitting 7th respondent to conduct the Muharram ceremonies and processions does not require any interference is the correct view.

12. As far as W.A.No.739 of 2026 is concerned the relief sought is that 7th respondent was interfering in the day to day affairs and possession of the property and the same should be stopped. This relief cannot cut into the conduct of the ceremonies and the procession. In any event the question of whether the suit bearing O.S.No.883 of 2016 as well as the interlocutory application in the suit have been decided on merits or not and whether such decision would in any manner make out a case for the appellant or his brother, is a matter which would have to be left open for consideration by the learned single judge.

13. In these circumstances, it would only be appropriate to dispose of all the three Writ Appeals by holding that the 7th respondent be permitted to conduct the Muharam ceremonies and processions between 15.06.2026 to 30.06.2026 with appropriate police protection. This Order would be restricted to the conduct of the Muharam Ceremonies and processions and subject to this condition, the order of the learned Single Judge would continue to operate.

14. Further, the findings of the learned Single Judge, as to the right of the appellant, to be appointed as Muthawalli of the Panja, shall not be taken into account, in any future proceedings.

15. Accordingly, the Writ Appeals are disposed of. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

Sd/- U SRIDEVI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Minorities Welfare Dept Secretariat, at Velagapudi Guntur District AP - 522237.
2. The Chief Executive Officer, Waqf Board of Andhra Pradesh, Vijayawada. NTR Krishna District-520001.
3. The Survey Commissioner of Waqf, Govt. of Andhra Pradesh, Secretariat, Velagapudi. Guntur District-522237
4. The Inspector and Auditor of Waqf, O/O Colleterate, NTR (Krishna) District-520002
5. The Commissioner, Vijayawada Municipal Corporation, Vijayawada. NTR Krishna District-520001.
6. The Commissioner of Police, Vijayawada City Police, Vijayawada-520010.
7. The Principal Secretary Home Department Secretariat Velagapudi Amaravathi Guntur District Andhra Pradesh Pin code 522 238.
8. The Director General of Police, Mangalagiri Guntur District Andhra Pradesh Pin code 522 503.
9. The Assistant Commissioner of Police, West Zone Vijayawada City Vijayawada Andhra Pradesh Pin code 520 001
10. The Inspector of Police, 1Town Police Station Vijayawada Andhra Pradesh Pin code 520 003.
11. The Special Officer/Chief Executive Officer, A.P State Waqf Board, Vijayawada.
12. The Station House Officer, II-Town Police Station, Vijayawada.520010

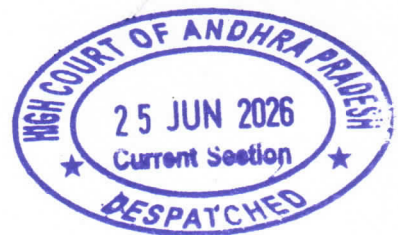
13. One CC to SRI T RAGHU PRASAD, Advocate [OPUC]
 14. Two CCs to GP FOR HOME, High Court of Andhra Pradesh [OUT]
 15. Two CCs to GP FOR SOCIAL WELFARE, High Court of Andhra Pradesh [OUT]
 16. One CC to SRI S.V.S.S.SIVARAM, SC For VMC Advocate [OPUC]
 17. One CC to SRI T RAGHU PRASAD, Advocate [OPUC]
 18. One CC to SRI SM V RAJA RAM, Advocate [OPUC]
 19. One CC to SRI SHAIK KHAJA BASHA, Advocate [OPUC]
 20. One CC to CORPUS JURIS LAW PANEL LLP, Advocate [OPUC]
 21. One CC to SRI GIRI BABU MARTHI, Advocate [OPUC]
 22. Two CD Copies
- VNA

HIGH COURT

DATED:25/06/2026

COMMON JUDGMENT

WA NO's. 722, 731 & 739 OF 2026



**DISPOSING OF THE WRIT APPEALS
WITHOUT COSTS**