

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

**THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 6246 OF 2026**

Between:

1. Mohammad Nazima, wife of Mohammad Annu, aged about 35 years, Occupation. Household, resident of 1-1-10, Gandhi Nagar, Vemulawada, Rajanna Sircilla District, Telangana-505302

Petitioner

AND

1. The State of Telangana, represented by its Prl. Secretary, Revenue Department, Secretariat, Hyderabad, Telangana State.
2. The District Collector and District Magistrate, Rajanna Sircilla District, Collectorate Office, Rajanna Sircilla, Telangana State
3. The Telangana State Waqf Board, represented by its CEO, having its office at Haj House, Nampally, Hyderabad
4. The Executive Officer, Sri Raja Rajeshwara Swamy Devasthanam, Vemulawada, Rajanna Sircilla District, Telangana State
5. The Superintendent of Police, Rajanna Sircilla District.
6. Regula Raj Kumar, S/o late R. Pochaiah, Aged 36, R/o H.No.1-9-55, Mahalaxmi Temple street Vemulavada Town and Mandal Rajanna Sircilla District
Respondent no.6 impleaded as per C.O.dt.02.03.2026 in IA No.4/2026 in WP No.6246/2026.

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 grant a Writ, Order or Direction, more particularly one in the nature of Mandamus declaring the action of the Respondent Nos. 2 & 4 in illegally fencing, barricading and obstruction of the Dargah Hazrath Syed Tajuddin Khaja Bagh Sawar situated within the premises of Sri Raja Rajeshwara Swamy Temple, Vemulawada, thereby preventing the Petitioner and other devotees from visiting the said Dargah and performing religious rituals including Fatiha, Chadar offering, Urus ceremonies, Niyaz (food offerings), Ziyarat (visitation), recitation of Quranic verses, Dua (prayers), lighting of incense and lamps, and other customary religious practices observed at the Dargah, with an intention of illegally demolishing the said Dargah and relocating it without obtaining the mandatory permission from the Telangana State Waqf Board as being illegal, arbitrary and violative of Articles 14, 19, 21, 25 and 26 of the Constitution of India and consequently. (A). to direct the Respondents, more particularly the Respondent Nos. 2 and 4 to immediately remove the illegal fencing, barricading and obstructions placed around and in front of the Dargah Hazrath Syed Tajuddin Khaja Bagh Sawar situated within the premises of Sri Raja Rajeshwara

Swamy Temple, Vemulawada and permit the Petitioner and other devotees to access the said Dargah without any hindrance and to perform religious rituals including Fatiha, Chadar offering, Urus ceremonies, Niyaz, Ziyarat, recitation of Quranic verses, Dua, lighting of incense and lamps, and other customary religious practices observed at the Dargah (b) to restrain the Respondents, more particularly the Respondent Nos. 2 and 4 from proceeding with any unauthorized relocation, demolition, alteration or disturbance to the said Dargah Hazrath Syed Tajuddin Khaja Bagh Sawar situated within the premises of Sri Raja Rajeshwara Swamy Temple, Vemulawada without following the due process of law and obtaining the mandatory permission from Respondent No. 3 (c) to pass appropriate orders directing the Respondents to maintain communal harmony and not to take any action that may hurt religious sentiments or disturb the centuries-old tradition of peaceful coexistence between the Dargah and the Temple .

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 petitioner to come on record as party respondent No.6 in the above Writ Petition pending disposal of WP 6246 of 2026, on the file of the High Court.

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 restrain the Respondents, more particularly the Respondent Nos. 2 & 4 from proceeding with any unauthorized relocation, demolition, alteration or disturbance to the said Dargah Hazrath Syed Tajuddin Khaja Bagh Sawar situated within the premises of Sri Raja Rajeshwara Swamy Temple, Vemulawada without following the due process of law and obtaining the mandatory permission from Respondent No. 3, pending disposal of WP 6246 of 2026, on the file of the High 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 pass appropriate orders directing the Respondents to maintain communal harmony and not to take any action that may hurt religious sentiments or disturb the centuries-old tradition of peaceful coexistence between the Dargah and the Temple, pending disposal of WP 6246 of 2026, on the file of the High 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 direct the Respondents more particularly the Respondent Nos. 2 & 4, to permit the Petitioner and other devotees to access the Dargah Hazrath Syed Tajuddin Khaja Bagh Sawar situated within the premises of Sri Raja Rajeshwara Swamy Temple, Vemulawada without any hindrance and to perform religious rituals including Fatiha, Chadar offering, Urus ceremonies, Niyaz, Ziyarat, recitation of Quranic verses, Dua, lighting of incense and lamps, and other customary religious practices observed at the said

Dargah by removing the illegal fencing, barricading and obstructions placed around and in front of the Dargah Hazrath Syed Tajuddin Khaja Bagh Sawar situated within the premises of Sri Raja Rajeshwara Swamy Temple, Vemulawada, pending disposal of WP 6246 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Zeeshan Adnan Mahmood Advocate for the Petitioner, Mr. A. Sudarshan Reddy, Advocate General and Mr. L. Ravi Chander, senior counsel for Mr. P. Shashi Kiran, counsel for respondent No.6, the Court made the following.

ORDER:

Heard Mr. Zeeshan Adnan Mahmood, learned counsel for the petitioner; Mr. A. Sudarshan Reddy, learned Advocate General and Mr. L. Ravi Chander, learned senior counsel appearing for Mr. P. Shashi Kiran, learned counsel for respondent No.6.

A categorical statement has been made by the learned Advocate General that the Dargah Hazrath Syed Tajuddin Khaja Bagh Sarwar, which is the subject matter of this writ petition, has been shifted to another place by the Mutawalli of the Dargah. It is not only the Dargah but other religious structures including Koti Lingala Kshetram, Sri Anjaneya Swamy Temple, Parvathi Shrine, have all been relocated to another place.

Learned Advocate General submitted that Sri Raja Rajeshwara Swamy Temple (Rajanna Temple) is a prominent temple in the State of Telangana and the Government has decided to upgrade the temple to provide better facilities to the devotees of the temple.

Learned counsel for the petitioner vehemently submitted that consent, if any, given by the Mutawalli is not a valid consent under Section 51 of the Wakf Act, 1995 and it is the Wakf Board, which has to give

consent and not the Mutawalli and the relocation of Dargah is also in violation of Places of Worship (Special Provisions) Act, 1991.

Learned senior counsel for the respondent No.6 has drawn attention of this Court to Ex.R2 filed along with IA.No.4 of 2026, which according to the learned senior counsel, is the new place where Dargah is relocated and new Dargah is being constructed. Learned senior counsel submitted that new place is not only bigger but a better place for construction of Dargah and Dargah is shifted peacefully without any objection from the persons-in-charge of Dargah and local people.

As it is stated by the learned Advocate General that Dargah has been shifted, in the opinion of this Court, the submission of respondent No.4 recorded on 26.02.2026 is not necessary to be given effect to. However, as it is seriously contended by the learned counsel for the petitioner that the Mutawalli does not have any authority to give consent or to relocate the Dargah, it is made clear any action/decision taken by the respondent authorities shall abide by further orders of this Court.

For counter of respondents, list on 16.03.2026.

SD/- A H S GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Prl. Secretary, Revenue Department, Secretariat, Hyderabad, State of Telangana, Telangana State. (by SPAD)
2. The District Collector and District Magistrate, Rajanna Sircilla District, Collectorate Office, Rajanna Sircilla, Telangana State (by SPAD)
3. The CEO, Telangana State Waqf Board, having its office at Haj House, Nampally, Hyderabad (by SPAD)
4. The Executive Officer, Sri Raja Rajeshwara Swamy Devasthanam, Vemulawada, Rajanna Sircilla District, Telangana State (by SPAD)
5. The Superintendent of Police, Rajanna Sircilla District. (by SPAD)
6. Regula Raj Kumar, S/o late R. Pochaiah, Aged 36, R/o H.No.1-9-55, Mahalaxmi Temple street Vemulavada Town and Mandal Rajanna Sircilla District (by SPAD)
7. One CC to SRI. ZEESHAN ADNAN MAHMOOD Advocate [OPUC]
8. Two CCs to ADVOCATE GENERAL Advocate [OPUC]
9. One spare copy

HIGH COURT

BVR,J

DATED:02/03/2026

LIST ON 16.03.2026

ORDER

WP.No.6246 of 2026

DIRECTION

