

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

**TUESDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 35880 OF 2025

Between:

1. Mohammed Jameel Ahmed Khan, S/o. Late Mohd Khaleel Ahmed Khan.
2. Mohammed Jaleel Ahmed Khan, S/o. Late Mohd Khaleel Ahmed Khan.
3. Mohammed Sohail Ahmed Khan, S/o. Late Mohd Khaleel Ahmed Khan.
4. Mohammed Shakeel Ahmed Khan, S/o. Late Mohd Khaleel Ahmed Khan.
5. Sara Khan, W/o. Majid Hussain Khan D/o. Late Mohd Khaleel Ahmed Khan.
6. Seema Tabassum, W/o. Mohammed Jameel Ahmed Khan.

Petitioners

AND

1. The State of Telangana, Rep by its Principal Secretary (Minority Welfare), Secretariat Buildings, Hyderabad-500037.
2. The Telangana State Waqf Board, Rep by its Chief Executive Officer, Razzak Manzil, Nampally, Hyderabad-500001.
3. The Chief Executive Officer, Telangana State Waqf Board, Razzak Manzil, Nampally, Hyderabad-500001.
4. The Inspector Auditor Waqf, Circle No.1, Telangana State Waqf Board, Razzak Manzil, Nampally, Hyderabad-500001.
5. The Deputy Commissioner of Police, South East Zone, Hyderabad, Saidabad X Road, Hyderabad-500059.
6. The Station House Officer, Saidabad Police Station, Dr B R Colony, Poosala Basti, Saidabad, Hyderabad-500059.
7. The District Collector, Hyderabad District, O/o.6-2-10, Lakdikapul, Hyderabad-500004.
8. The Revenue Divisional Officer, Hyderabad Division, Aghapura, Nampally, Hyderabad-500001.
9. The Tahasildar, Saidabad Mandal, Hyderabad District, Champapet, Hyderabad, 500079.

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 issue any writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents, more particularly respondent nos.2 to 9 in interfering with the peaceful possession and enjoyment of the petitioners dwelling House Property bearing

Nos.16-2-12 to 16-2-14, admeasuring 53.33 Sq. Yards, H.No.16-2-15, admeasuring 120 Sq. Yards and H.No.16-2-16, admeasuring 522.07 Sq. Yards situated at Saidabad X Road, Malakpet, Hyderabad, under the pretext of letter vide F.No.M4/14/PROT/HYD/2009 dated 06-11-2025, by wrongly claiming the petitioners private dwelling house properties as Waqf Property, attached to Dargah Hazrath Ujale Shah Saheb Masjid, Graveyard, Houses, Maqbera, Khankha and Sarai, admeasuring Ac.28-29 Guntas, as per notified and published in A.P Gazette No.24-A, dated 21-06-1984 at page No.23, SL.No.1393, as illegal, arbitrary, unconstitutional, without application of mind, colourable exercise of power, in violation of articles 14, 21 and 300-A of Constitution of India, in violation of principles of natural justice besides being in violation of Waqf Act 1954, and consequently to set aside the letter issued by respondent No.3 vide F.No.M4/14/PROT/HYD/2009 dated 06-11-2025, including the direction to the respondent Nos.2 to 9 herein not to interfere with the petitioners dwelling House Property bearing Nos.16-2-12 to 16-2-14, admeasuring 53.33 Sq. Yards, H.No.16-2-15, admeasuring 120 Sq. Yards and H.No.16-2-16, admeasuring 522.07 Sq. Yards situated at Saidabad X Road, Malakpet, Hyderabad situated at Saidabad X Road, Malakpet, Hyderabad, by treating or claiming the same as Waqf Property, attached to Dargah Hazrath Ujale Shah Saheb Masjid, Graveyard, Houses, Maqbera, Khankha and Sarai, admeasuring Ac.28-29 Guntas, as per Gazette No.24-A, dated 21-06-1984 at page No.23, SL.No.1393.

IA NO: 1 OF 2025

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 letter issued by respondent No.3 vide F.No.M4/14/PROT/HYD/2009 dated 06-11-2025, in respect of petitioners dwelling House Property bearing Nos.16-2-12 to 16-2-14, admeasuring 53.33 Sq. Yards, H.No.16-2-15, admeasuring 120 Sq. Yards and H.No.16-2-16, admeasuring 522.07 Sq. Yards situated at Saidabad X Road, Malakpet, Hyderabad, pending disposal of WP 35880 of 2025, on the file of the High Court.

IA NO: 2 OF 2025

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 respondent Nos.2 to 9 herein not to interfere with the petitioners dwelling House Property bearing Nos.16-2-12 to 16-2-14, admeasuring 53.33 Sq. Yards, H.No.16-2-15, admeasuring 120 Sq. Yards and H.No.16-2-16, admeasuring 522.07 Sq. Yards situated at Saidabad X Road, Malakpet, Hyderabad, by treating or claiming the same as Waqf Property, attached to Dargah Hazrath Ujale Shah Saheb Masjid, Graveyard, Houses, Maqbera, Khankha and Sarai, admeasuring Ac.28-29 Guntas, as per Gazette No.24-A, dated 21-06-1984 at page No.23, SL.No.1393, pending disposal of WP 35880 of 2025, 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 KATIKA RAVINDER REDDY Advocate for the Petitioners, GP FOR MINORITY WELFARE for the Respondent No.1, SRI FARHAN AZAM KHAN, Standing Counsel for Waqf board appearing for respondents No. 2 to 4, GP FOR HOME for respondents No. 5 & 6, GP FOR REVENUE for respondents No. 7 to 9.

The Court made the following

ORDER:

Registry is directed to print the name of Sri Farhan Azam Khan, learned Standing Counsel for Wakf Board, for respondents No.2 to 4 in the cause list.

List this matter on 26.11.2025 in the Adjourned Motion List.

Till such time, *status quo* obtaining as on today shall be maintained by all the parties in respect of the subject property.

C. DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, (Minority Welfare), Secretariat Buildings, State of Telangana, Hyderabad-500037.
2. The Telangana State Waqf Board, Chief Executive Officer, Razzak Manzil, Nampally, Hyderabad-500001.
3. The Chief Executive Officer, Telangana State Waqf Board, Razzak Manzil, Nampally, Hyderabad-500001.
4. The Inspector Auditor Waqf, Circle No.1, Telangana State Waqf Board, Razzak Manzil, Nampally, Hyderabad-500001.
5. The Deputy Commissioner of Police, South East Zone, Hyderabad.Saidabad X Road, Hyderabad-500059.
6. The Station House Officer, Saidabad Police Station, Dr B R Colony, Poosala Basti, Saidabad, Hyderabad-500059.
7. The District Collector, Hyderabad District, O/o.6-2-10, Lakdikapul, Hyderabad-500004.
8. The Revenue Divisional Officer, Hyderabad Division, Aghapura, Nampally, Hyderabad-500001.
9. The Tahasildar, Saidabad Mandal, Hyderabad District, Champapet, Hyderabad, 500079.

(RR 1 TO 9 BY SPAD)

10. One CC to SRI KATIKA RAVINDER REDDY Advocate [OPUC]
11. Two CCs to GP FOR SOCIAL WELFARE, High Court at Hyderabad. [OUT]
12. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
13. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
14. One spare copy

HIGH COURT

TMD, J

DATED: 25/11/2025



LIST THIS MATTER ON 26.11.2025 IN THE ADJOURNED MOTION LIST.

ORDER

WP.No.35880 of 2025

STATUS QUO