

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

WEDNESDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HON'BLE 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 of CPC, praying that in the circumstances stated in the affidavit filed in the writ 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. No. 35880 of 2025, on the file of the High Court.

IA NO: 2 OF 2025:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ 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. No. 35880 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed therein, and the order of the High Court dated 25-11-2025 made herein, and upon hearing the arguments of Sri Katika Ravinder Reddy, Advocate for the petitioners, GP for Social Welfare, for Respondent No.1, Sri Farhan Azam Khan, Standing Counsel for Respondent Nos. 2 to 4, GP for Home, for Respondent Nos. 5 & 6, and GP for Revenue, for Respondent Nos. 7 to 9, the Court made the following;

ORDER:

Notice before admission.

Learned Government Pleader for Social Welfare takes notice on behalf of respondent No.1 and waives further notice.

Sri Farhan Azam Khan, learned Standing Counsel for Wakf Board takes notice on behalf of respondent No.2 to 4 and waives further notice.

Learned Government Pleader for Home takes notice on behalf of respondents No.5 and 6 and waives further notice.

Learned Government Pleader for Revenue takes notice on behalf of respondents No.7 to 9 and waives further notice

Registry is directed not to take out notice to respondents No.1 to 9 in view of the above waiver.

At request of learned Standing Counsel for Wakf Board to get instructions, list this matter on 10.12.2025.

Interim order granted earlier on 25.11.2025 shall stand extended till then.

It is clarified that the order of *status quo* dated 25.11.2025 is in respect of the possession of the subject property only.

In view of the *status quo* order, respondents No.5 and 6-police are also directed not to take any coercive steps against the petitioners.

//TRUE COPY//

SD/- K. BHAVANI SWAMY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary (Minority Welfare), State of Telangana, 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.

10. Two CCs to GP for Social Welfare, High Court for the State of Telangana, at Hyderabad (OUT)
11. Two CCs to GP for Home, High Court for the State of Telangana, at Hyderabad (OUT)
12. Two CCs to GP for Revenue, High Court for the State of Telangana, at Hyderabad (OUT)
13. One CC to Sri Katika Ravinder Reddy, Advocate (OPUC)
14. One Spare copy

HIGH COURT

TMD,J

DATE: 26-11-2025

NOTE: POST ON 10-12-2025

ORDER

WP. NO. 35880 OF 2025



EXTENDING THE INTERIM ORDER