IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWENTY SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 241 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 18/10/2024 in W P No 25758 OF 2023 on the file of the High Court.

Between:

Mohammed Sultan, S/o Late Mohammed Osman, Aged about 58 Occ Business R/o. H. No. 19-2-21/D/38, Amjad Doula Bagh, Charminar, Hyderabad

...APPELLANT

AND

1. The State of Telangana, Rep by its. Principal Secretary Home Department
2. The Commissioner of Police For Twin Cities of Telangana, Police Command Control Center, Banjara Hills Hyderabad.
3. The Deputy Commissioner of Police, South Zone, Purani Haveli, Hyderabad.
4. The Assitant Commissioner of Police, Mirchowk Division, Hyderabad.
5. The Station House Officer, Shalibanda Police Station, At Hyderabad.
6. S. Ravi Kumar, S/o Yesobu, Age. 41yrs, Occ. S.H.0 & Police Inspector Shalibanda, 0/o Shalil-anda police Station, Hyderabad
7. Kumari Sharma Noor, W/o Not Known, Occ. Sub Inspector of Shalibanda Police Station, Age. 35yrs, 0/o 0/o Shalibanda police Station, Hyderabad.

...RESPONDENTS

IA NO: 3 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 order of the learned Single Judge in WP. No. 25758 of 2023 dated 18.0CT.2024.

Counsel for the Appellant : SRI SYED IRFAN AHMED
Counsel for the Respondents No.1to5 : SRI MAHESH RAJE,GP FOR HOME
Counsel for the Respondents No.6&7 : --
The Court made the following: JUDGMENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.241 of 2025

JUDGMENT *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*:

Sri Syed Irfan, learned counsel for the appellant and Sri Mahesh Raje, learned Government Pleader for Home, for respondent Nos.1 to 5.

2. The grievance of the appellant/writ petitioner before the writ Court in W.P.No.25758 of 2023 was for registration of First Information Report.

3. The Supreme Court in **Ram Kishan Fauji v. State of Haryana**[1], opined that the writ appeal/letters patent appeal is not maintainable against the order of the writ court when it examined a criminal matter. The similar view was followed by the High Court for the State of Telangana in **State of Telangana v. Tushar Vellapally**[2] and the Gauhati High Court in **Deba Prasad Dutta v. State of Assam**[3].

4. In this view of the matter, the writ appeal is not maintainable and the same is accordingly dismissed as not maintainable. No costs.

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[1] (2017) 5 SCC 533
[2] 2023 SCC OnLine TS 334
[3] 2023 SCC OnLine Gau 3615: AIR 2024 Gau 30

Interlocutory applications, if any pending, shall also stand closed.

SD/-I. NAGA LAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

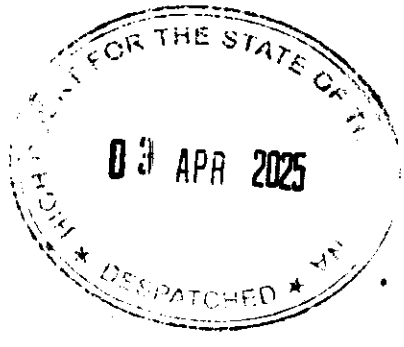
1. One CC to SRI SYED IRFAN AHMED, Advocate. [OPUC]
2. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
3. Two CD Copies.

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HIGH COURT

DATED:27/02/2025



JUDGMENT

WA.No.241 of 2025

DISMISSING THE WRIT APPEAL
WITHOUT COSTS

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S.P
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