IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 922 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal Against the Order dated 08-06-2026 Passed in W.P.No 21969 of 2019 on the file of the High Court.

Between:

Mohd Anwar, S/o Mohd Qamruddin, Aged about 51 years, Occupation Business. R/o H.No 8-10-11, Resham Bagh, Qila Mohammed Nagar Village, Golconda Mandal, Golconda, Hyderabad

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad
2. The District Collector, Hyderabad District, Telangana State.
3. The Deputy Director, Hyderabad District, Telangana State.
4. The Revenue Divisional Officer, Hyderabad District, Telangana State.
5. The Tahsildar, Golconda Mandal, Ranga Reddy
6. The Station House Officer, Golconda Police Station, Hyderabad District, Telangana Stare.
7. The Wakf Board, Represented by its Chairman, Haj House, Nampally, Hyderabad. Telangana

...RESPONDENTS

I.A. 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 SET ASIDE the order dated 08.06.2026 passed by the learned Single Judge in WP.No.21969 of 2019, pending disposal of the main writ appeal.

I.A. 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 DIRECT the respondents not to interfere in the peaceful possession and enjoyment with respect to land admeasuring Ac.1.20 guntas in Survey No.257, corresponding to Town Survey No.22, Ward No.16, Block-A, situated at Qila Mohammed Nagar Village, Golconda Mandal, Hyderabad District, pending disposal of the main writ appeal.

Counsel for the Appellant: MR. BASA CHANAKYA

Counsel for the Respondent Nos. 1 to 5: MR. MURALIDHAR REDDY KATRAM, GP FOR REVENUE

Counsel for the Respondent No.6: MR. MAHESH RAJE, GP FOR HOME

Counsel for the Respondent No.7: MR. FARHAN AZAM KHAN, S.C. FOR WAQF BOARD

The Court made the following: JUDGEMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.922 of 2026
(CNR.No. HBHC010583982026)

Dated: 01.09.2026

Between:

Mohd. Anwar

... Appellant

And

The State of Telangana,
Rep., by its Principal Secretary, Revenue Department,
Secretariat, Hyderabad and 6 others.

...Respondents

JUDGMENT:

Mr. Basa Chanakya, learned counsel for the appellant.

Mr. Muralidhar Reddy Katram, learned Government Pleader for Revenue, appears for respondent Nos.1 to 5.

Mr. Mahesh Raje, learned Government Pleader for Home, appears for respondent No.6.

Mr. Farhan Azam Khan, learned Standing Counsel for Wakf Board, appears for respondent No.7.

2. The impugned order has been rendered on an apprehension by the appellant against interference in his alleged peaceful possession and enjoyment of Mosque situated in Sy.No.257, correlating to Ward No.16, Block-A and Town

Sy.No.22 to an extent of Ac.01.20 guntas of Qila Mohammed Nagar Village, Golconda Mandal, Hyderabad District, at the behest of respondent Nos.4 to 6, who are the revenue authorities and the Station House Officer, Golconda Police Station.

3. The revenue department appeared and took a stand that the land is classified as Government/poramboke land. The appellant is neither a pattadar nor an assignee of Sy.No.257 and as such, he has no right or title over the land to question issuance of notice under Section 9(2) of the Survey and Boundaries Act, 1923. The revenue department also took a plea that the contention of the appellant that the aforesaid land belongs to Mosque is baseless and he is trying to grab the vacant Government land. The appellant has claimed that the revenue authorities cannot claim the subject Mosque as a Government land and he has never been served notice under the said Act. After taking note of the stand of the parties, the learned writ Court observed that the appellant is claiming right over the subject Mosque relying upon stray entries in the revenue records, whereas the Government is disputing his right and title. So far as construction over 1,000 square meters of Government land is concerned, Government was allowed liberty to take appropriate steps to remove the same by following the procedure prescribed under the A.P. Land Encroachment Act, 1905 (for short, "the Act") or any other enactment. The writ petition was dismissed. This has led to filing of the present appeal by the aggrieved appellant.

4. Appellant claims to be a regular worshiper at the subject Mosque and as per sethwars and revenue records, its name in Sy.No.257 was recorded as Masjid. On the basis of town survey, which has shown the subject property as Poramboke, the revenue department is claiming it to be a Government land.

5. Upon perusal of the relevant records and consideration of the submissions of learned counsel for the parties, it appears that the appellant has approached the Court on a mere apprehension without any proceedings initiated either by the revenue department or the wakf board for removal of encroachment. However, in view of the stand of the respondent State, the learned writ Court recorded the aforesaid observations while giving liberty to the Government to take appropriate steps as per the Act or any other enactment. The apprehension of the appellant therefore appears to be misplaced for approaching the writ Court.

6. There is a rival claim between the revenue department and the wakf board as it appears from the submissions of the learned counsel representing them over the subject land though wakf board has not filed any counter affidavit before the writ Court. In that event, in case any proceedings are initiated for removal of the alleged encroachment either by the revenue department or the wakf board, the appellant has a remedy before the appropriate forum where he can take all such grounds of law and fact in support of his case. We, therefore, do not intend to preempt any proceedings in the matter to be initiated as per law by the competent authorities under the Act or the Wakf Act, 1995. In case, any such proceedings are initiated, the appellant would be entitled to take all such defenses available to

him and such proceedings would be decided independent of any observations made by the learned writ Court in accordance with law.

7. The instant writ appeal is disposed of with the aforesaid observations. No costs.

Miscellaneous petitions, pending if any, stand closed.

SD/- MOHD ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

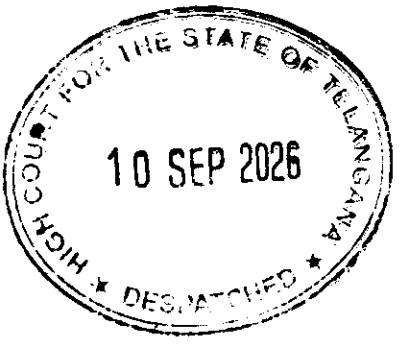
1. The Principal Secretary, Revenue Department, Secretariat, State of Telangana, Hyderabad
2. The District Collector, Hyderabad District, Telangana State.
3. The Deputy Director, Hyderabad District, Telangana State.
4. The Revenue Divisional Officer, Hyderabad District, Telangana State.
5. The Tahsildar, Golconda Mandal, Ranga Reddy
6. The Station House Officer, Golconda Police Station, Hyderabad District, Telangana Stare.
7. The Chairman, Wakf Board, Haj House, Nampally, Hyderabad. Telangana
8. One CC to MR. BASA CHANAKYA Advocate [OPUC]
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
10. Two CCs to G.P. For HOME, High Court of Telangana at Hyderabad [OUT]
11. One CC to MR. FARHAN AZAM KHAN, S.C. FOR WAQF BOARD [OPUC]
12. Two CD Copies

AGK

TKS

HIGH COURT

DATED: 01/09/2026



JUDGEMENT

WA.No.922 of 2026

DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS

(16)
NT
8/9/26.