IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY,THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 35497 OF 2024

Between:

1. Mohd Jaffer Meeran, S/o Late Jilani Meeran, Aged about 64 yrs, Occ Business, R/o 18- 7- 198/A/40 Aman Nagar B, Talabkatta, Charminar, Hyderabad 500023.
2. Qursheed Meeran, S/o Late Mohiuddin Meeran, Aged about 66 yrs, Occ Business, R/o 18- 1- 350/11/170/a, Ayesha Colony, Chandrayangutta, Bandlaguda, Keshagiri, Hyderabad

...PETITIONERS

AND

1. The State of Telangana, Through its Principal Secretary, Minorities Welfare Department Having Office at T. S. Secretariat, Hyderabad.
2. Telangana State Waqf Board, Rep By its CEO, Having office at Razzack Manzi Opp Public Gardens Nampally, Hyderabad
3. The District Collector, Siddipet District Having Office at Integrated Office Complex Siddipet.
4. The Mandal Revenue Officer, Gajwel, Having Office at Gajwel

...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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Notification published in A.P. Gazette No. 46- A dated 20- 12- 2001 notifying the land in Survey Nos. 326 to 335, 337 to 377, 380 to 386. and 391 to 396. admeasuring Ac 394- 19 guntas, at Serial No. 19058 as illegal, arbitrary, against the statute, without jurisdiction and violative of principles of natural justice and violative of Article 300- A of the Constitution of India

IA NO: 1 OF 2024

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 grant an interim direction suspending the Notification published in A. P. Gazette No. 46- A dated 20- 12- 2001 notifying the land in Survey Nos. 326 to 335, 337 to 377, 380 to 386, and 391 to 396, admeasuring Ac 394- 19 guntas, at Serial No. 19058 pending disposal of the writ petition.

Counsel for the Petitioners: SRI MOHAMMAD ADNAN

Counsel for the Respondent No. 1 : GP FOR SOCIAL WELFARE

Counsel for the Respondent No. 2 : SRI FARHAN AZAM KHAN, SC FOR WAKF BOARD

Counsel for the Respondent Nos. 3 & 4 : GP FOR REVENUE

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION NO.35497 OF 2024

DATED : 16.12.2025

Between:

Mohd Jaffer Meeran and another

... Petitioners

AND

The State of Telangana through its Principal Secretary, Minorities Welfare Department having office at T.S. Secretariat, Hyderabad and 3 others

... Respondents

ORDER

The Writ Petition is filed challenging the impugned notification published in the then A.P. (now Telangana) Gazette No.46-A dt.20.12.2001 under Section 5(2) of the Wakf Act, 1954 as illegal and arbitrary since the said Act had already been repealed.

2. It is submitted that the issue in this Writ Petition is squarely covered by the orders dt.07.10.2025 passed in W.P.No.11855 of 2023,

wherein the learned Senior Counsel appearing for the petitioner therein placed reliance upon the judgment of the Division Bench of this Court in W.A.No.1432 of 2016 and batch dt.04.12.2023 in support of his proposition that any notification issued under a repealed Act cannot be sustained, and submitted that in W.A.No.1432 of 2016 and batch, the notification was issued on 15.11.2001 and in W.P.No.11855 of 2023, the notification was issued on 29.11.2001, whereas in the present case for consideration, the notification is dated 20.12.2001, i.e., only some days apart and all the facts and circumstances are also similar and therefore, the said decision would apply in this case as well.

3. Sri Farhan Azam Khan, learned Standing Counsel for respondent No.2 Wakf Board, submitted that a fresh notification has already been issued under the subsequent enactment, i.e., the Wakf Act, 1995 now named as the Unified Wakf Management, Empowerment, Efficiency and Development Act, 1995 (as amended by Act 43 of 2025) which came into effect from 08.04.2025 and the action is being taken thereunder. He further submitted that the orders in W.A.No.1432 of 2016 and batch dt.04.12.2023 are under challenge before the Hon'ble Supreme Court of India in an SLP and the same is pending consideration.

4. In view thereof, this Court is inclined to set aside the Gazette Notification dt.20.12.2001, which was issued under the repealed Act of 1954. Since the respondents have already issued a notification under the subsequent Act, they may proceed to take action in accordance with the same.

5. However, it is also made clear that this order shall not be treated as a precedent in cases which are filed after issuance of Notification under the Wakf Act, 1995 now renamed as the Unified Wakf Management, Empowerment, Efficiency and Development Act, 1995 (as amended by Act 43 of 2025) which came into effect on 08.04.2025.

6. With the above observations, this Writ Petition is disposed of. No order as to costs. However, the issues on merits are left open to the authorities to consider in accordance with law.

7. Pending miscellaneous petitions, if any, in this Writ Petition shall stand closed.

SD/-A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Minorities Welfare Department Having Office at T. S. Secretariat, The State of Telangana, Hyderabad.
2. CEO, Telangana State Waqf Board, Having office at Razzack Manzi Opp Public Gardens Nampally, Hyderabad
3. The District Collector, Siddipet District Having Office at Integrated Office Complex Siddipet.

4. The Mandal Revenue Officer, Gajwel, Having Office at Gajwel
5. One CC to SRI MOHAMMAD ADNAN, Advocate [OPUC]
6. One CC to SRI FARHAN AZAM KHAN, SC FOR WAKF BOARDO, Advocate [OPUC]
7. Two CCs to GP FOR SOCIAL WELFARE, High Court for the State of Telangana. [OUT]
8. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
9. Two CD Copies

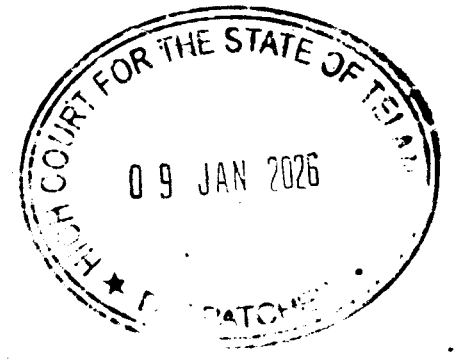
PVL
BS

HIGH COURT

DATED:16/12/2025

ORDER

WP.No.35497 of 2024



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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