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

WEDNESDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 34223 OF 2026

Between:

Ayesha Nishath, W/o Shaik Shoeb Ur Rahman, Aged about 35 years, Occ. House Wife, H.No. 1-108, Gautami Nagar Colony, Chandanagar, Ranga Reddy District. Telangana.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Home Department, Telangana Secretariat, Hyderabad.
2. The Station House Officer, Chandanagar Police Station, Ranga Reddy District, Telangana.
3. Shaik Shoeb Ur Rahman, S/o Mujeeb Ur Rahman, R/o 5-93/3/A, Yenugonda, Mahabubnagar District, Telangana

...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 pass an order, direction or a writ particularly in the nature of Writ of Habeas Corpus, thereby directing the respondent No. 3 to trace out and produce the minor children of the petitioner by name Shaik Saif Ur Rahman and Baby AMairath Mariyam Shaik, before this Hon'ble Court, in the interest of justice. Consequently, this Hon'ble Court may be pleased to direct the respondent No.3 to hand over the custody of the petitioner's minor children to her, in the interest of justice.

Counsel for the Petitioner: SRI MOHAMMAD ADNAN
Counsel for the Respondent Nos.1 & 2: SRI T.RAVI KUMAR,
AGP FOR GP FOR HOME
Counsel for the Respondent No.3: SRI SYED MOUNIS JAFAR ABIDI FOR
SRI MOHAMMAD MUSLEHUDDIN ASSIM

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION No.34223 of 2026

(CNR No. HBHC010705392026)

DATE: 28.10.2026

Between:

Ayesha Nishath.

...Petitioner

And

The State of Telangana,
Represented by its Principal Secretary,
Home Department,
Telangana Secretariat,
Hyderabad and 2 others.

...Respondents

Mr. Mohammad Adnan, learned counsel appearing for the petitioner.

Mr. T. Ravi Kumar, the learned Assistant Government Pleader appearing for the respondent Nos.1 and 2.

Mr. Syed Mounis Jafar Abidi, learned counsel representing Mr. Mohammad Muslehuddin Assim, learned counsel appearing for the respondent No.3.

ORDER: (Per Hon'ble Justice Moushumi Bhattacharya)

1. The present Writ Petition has been filed seeking a direction on the respondent No.3 to trace out and produce the alleged

detenues before this Court and hand over their custody to the petitioner.

2. We have heard learned counsel appearing for the petitioner, the learned Assistant Government Pleader appearing for the respondents Nos.1 and 2 and learned counsel appearing for the respondent No.3.

3. The petitioner is the mother of the alleged detenues, a boy aged 9 years and a girl aged 5 years. The respondent No.3 is the father of the alleged detenues.

4. The petitioner's case is that the respondent No. 3 took the alleged detenues away from her on 01.07.2026 and has since refused to return them to her, despite having assured her that he would return the alleged detenues after 15 days.

5. On the other hand, the case of the respondent No.3 is that the petitioner voluntarily handed over the alleged detenues to him and assured him that she would join him at their matrimonial home but failed to do so. The respondent No. 3 further submits that he returned from Saudi Arabia to Hyderabad in July, 2026.

6. We had directed the learned Assistant Government Pleader appearing for the respondent Nos.1 and 2 to ensure the presence of the alleged detenues in Court today.

7. We interacted with the alleged detenues in chambers to safeguard their privacy and to ensure that they express their wishes without any fear and hesitation. The alleged detenues unequivocally expressed their wish to remain with their father/respondent No.3. They also expressed their willingness to visit the petitioner, their mother, every Saturday, while stating that they were happy to continue residing with their father/respondent No.3.

8. In view of the stated position of the alleged detenues, we deem it fit to dispose of the Writ Petition with a direction to the respondent No.3 to ensure that the alleged detenues visit the petitioner, their mother, every Saturday from 01:00 p.m. to 05:00 p.m. at the petitioner's house.

9. The Court is informed that the petitioner is presently residing with her father at Gautami Nagar Colony, Chandanagar,

Ranga Reddy District. The respondent No.3 shall make travel arrangements of the alleged detenues to and from the petitioner's house, ensuring that the alleged detenues spend the full extent of time with the petitioner as directed by the Court.

10. With the above direction, W.P. No.34223 of 2026, along with all connected applications, is accordingly disposed of. There shall be no order as to costs.

SD/- P.PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

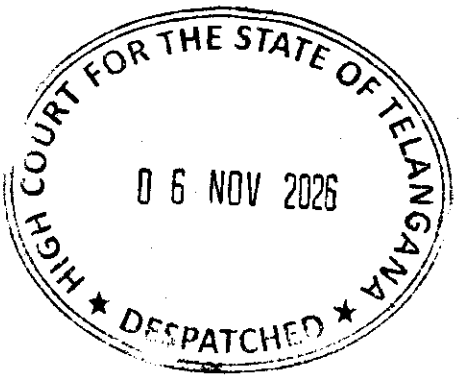
1. The Principal Secretary, Home Department, Telangana Secretariat, Hyderabad, State of Telangana.
2. The Station House Officer, Chandanagar Police Station, Ranga Reddy District, Telangana.
3. One CC to SRI MOHAMMAD ADNAN, Advocate [OPUC]
4. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
5. One CC to SRI SYED MOUNIS JAFAR ABIDI, Advocate [OPUC]
6. Two CD Copies

PSK.
PB

HIGH COURT

DATED: 28/10/2026

ORDER
WP.No.34223 of 2026



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS.

(10)
4.09
4/11/26