

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

WEDNESDAY, THE TWENTIETH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FOUR

:PRESENT:  
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 32538 OF 2024

Between:

Majjath Hanumanth Rao, S/o. Majjath Kondaiah

Petitioner

AND

1. The Telangana State Wakf Board, Rep by its Chief Executive Officer, Razzack Manzil, Haj House, Opp. Public Gardens, Nampally, Hyderabad.
2. The State of Telangana, Rep by its Principal Secretary, Revenue and Stamp and registration Department, Secretariat, Hyderabad
3. The District Collector, Medak, Medak District.
4. The Revenue Divisional Officer, Toopran Division, Medak District.
5. The Tahsildar, Manoharabad Mandal, Medak District

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 of mandamus or any other appropriate writ, order direction declaring the Respondents issuance of the Gazette Notification No. 46-A dated 20.12.2001 to the extent it includes the properties of the Petitioner, i.e., Ac 0.30 Gts in Sy. No. 120AA, Ac. 0.33 Gts. in Sy. No. 119, Ac. 0.17 Gts in Sy. No. 118 and Ac. 5.00 in Sy. No.195/AA/1 total extent of Ac. 7.00 gts in Kucharum village, Manoharabad Mandal (earlier part of Toopran Mandal/Gajwel Taluk), Medak District (hereinafter referred to as 'subject properties') at Serial No. 19607 as illegal, arbitrary, unconstitutional, in contravention of the provisions of the Waqf Act, 1995, in violation of the principles of natural justice and in violation of Articles 14 and 300-A of the Constitution of India and consequently direct the respondents to set aside the Gazette Notification No. 46-A dated 20.12.2001,

**IA NO: 2 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 to direct

the respondent No. 5 authorities to issue the Pattedar Passbooks and title deeds to petitioner agricultural land i.e., Sy. No. 120AA, in Ac 0.30 Gts, Sy. No. 119, Ac. 0.33 Gts and Ac. 0.17 Gts in Sy. No. 118 total extent of Ac. 5.00 gts in Kucharam village, Manoharabad Mandal (earlier part of Toopran Mandal/Gajwel Taluk), Medak District and pass, Pending disposal of WP 32538 of 2024, on the file of the High Court.

**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 to suspend the Gazette Notification No. 46-A dated 20.12.2001 to the extent it includes the properties of the Petitioner, i.e., Ac 0.30 Gts in Sy. No. 120AA, Ac. 0.33 Gts. in Sy. No. 119, Ac. 0.17 Gts in Sy. No. 118 in Sy 118 and Ac. 5.00 in Sy. No.195/AA/1 total extent of Ac. 7.00 gts in Kucharum village, Manoharabad Mandal (earlier part of Toopran Mandal/Gajwel Taluk), Medak District (hereinafter referred to as 'subject properties') at Serial No. 19607, Pending disposal of WP 32538 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI. R MANGULAL Advocate for the Petitioner(s), and the Court made the following.

**ORDER:**

**Print the name of Mr. Mohd. Ismail, Standing Counsel for Telangana State Wakf Board.**

**Learned Standing Counsel appearing for respondent No.1-Telangana State Wakf Board seeks time to get instructions.**

**Learned counsel for the petitioner placed reliance on the order passed by a Division Bench of this Court in W.A.No.1432 of 2016 and batch, dated 04.12.2023, and submitted that the impugned Gazette Notification No.46-A has been set aside in similar circumstances.**

**In view of the above, there shall be interim suspension of operation of the Gazette Notification No.46-A dated 20.12.2001 to the extent of the properties of the petitioner i.e., Acs.0-30 guntas in Survey No.120AA, Ac.0-33 guntas in Survey No.119, Acs.0-17 guntas in Survey No.118 and Acs.5-00 guntas in Survey No.195/AA/1, total land to an extent of Acs.7-00 guntas, situated in Kucharum Village, Manoharabad Mandal (earlier part of Toopran**

Mandal/Gajwel Taluk), Medak District, until further orders. Any alienation made by the petitioner shall be subject to further orders of this Court.

List on 18.12.2024.

SD/-K.SREE RAMA MURTHY  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Executive Officer, Razzack Manzil, Haj House, Opp. Public Gardens, Nampally, Telangana State Wakf Board, Hyderabad.
2. The Principal Secretary, Revenue and Stamp and registration Department, Secretariat, State of Telangana, Hyderabad
3. The District Collector, Medak, Medak District.
4. The Revenue Divisional Officer, Toopran Division, Medak District.
5. The Tahsildar, Manoharabad Mandal, Medak District (RR1 to 5 by RPAD)
6. One CC to SRI. R MANGULAL, Advocate [OPUC]
7. One spare copy

**HIGH COURT**

**BVRJ**

**DATED:20/11/2024**

**LIST ON: 18.12.2024**

**ORDER**

**WP.No.32538 of 2024**

**INTERIM SUSPENSION**

