

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.24301 OF 2026

DATE: 04.08.2026

Between:

Mohammed Faiyaz Ali
S/o. Mohammed Yousuf Ali
Aged about 55 years, Occ:Mutawalli of Sunni Masjid
Osmania And Deeni Madarsa, situated at
Ananthagiri Hills, Vikarabad District, Telangana
Currently, R/o.H.No.10-4-771/113,
Mahatma Gandhi Nagar,
Masab Tank, Hyderabad

...Petitioner

And

The State of Telangana
Rep by its Principal Secretary
Environment, Forests, Science & Technology
Department, Secretariat, Hyderabad & others

...Respondents

ORDER

**Heard Sri Mohammed Ismail Khan, learned
counsel appearing on behalf of the petitioner, learned
Assistant Government Pleader for Forests appearing on
behalf of the respondent Nos.1 to 5 and Sri Farhan
Azam Khan, learned Standing counsel for Waqf Baord
appearing on behalf of the respondent No. 6.**

2. The petitioner approached the Court seeking prayer as under:

“a. Declare the repeated interference and highhanded actions of the Respondent Forest Authorities in entering upon the subject Waqf property comprising Sunni Masjid Osmania Deeni Madarsa and Yousufain Old Age Home situated at Ananthagiri Hills Vikarabad District Telangana by orally directing the petitioner to vacate the premises thus interfering with the peaceful possession administration and management of the Waqf institution and disturbing the educational religious and recreational activities of the students without issuing any statutory notice or following the due process of law as illegal arbitrary unconstitutional without jurisdiction and violative of Articles 14 25 and 26 of the Constitution of India

b. Direct the Respondent Forest Authorities to recognize and give due effect to the proceedings of the Telangana State Waqf Board issued in FNo12RegistrationVKB2021 dated 05062023 pursuant to Resolution No1492023 dated 06042023 whereby Sunni Masjid Osmania Deeni Madarsa and Yousufain Old Age Home stands registered as a Waqf under Section 36 of the Waqf Act 1995 together with the consequential Muntakhab and the Official Telangana Gazette Notification dated 14092023 and not to act contrary thereto except in accordance with law.

c. Consequently direct the direct the Respondent Forest Authorities not to interfere with the peaceful possession administration management and enjoyment of the subject Waqf property comprising Sunni Masjid Osmania Deeni Madarsa and Yousufain Old Age Home situated at Ananthagiri Hills Vikarabad District Telangana and not to dispossess the petitioner or disturb the students staff or worshippers in any manner whatsoever except by following the due process of law and principles of natural justice.

d. Pass such other or orders as this....”

3. The case of the petitioner in brief as per the averments made in the affidavit filed by the petitioners in support of the present Writ Petition is as under:-

The petitioner herein is the Mutawalli of Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District. While so, the respondent forest authorities are interfering with peaceful possession, administration and management of the Waqf institution, without issuing any statutory notice and without following due process of law.

PERUSED THE RECORD:-

DISCUSSION AND CONCLUSION:-

4. Learned counsel appearing on behalf of the petitioner, mainly puts-forth the following submissions:-

1. The petitioner herein is the recognized Mutawalli of Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District.
2. The Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District, is a religious charitable

institution established exclusively for the benefit of the Muslim community.

3. The Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District, have been conducting daily Namaz (prayers), imparting Deeni Taleem (Education) through the Madarsa and carrying on religious and charitable activities for several years.

4. The said institution is being administered in accordance with the provisions of the Waqf Act, 1995.

5. The Waqf property of the said institution runs approximately into 14,000 sq.yards.

6. Muntakhab also had been issued on 05.06.2023, duly entering the Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District, in the Book of Endowments, Volume-II, Page.No.186, Serial No.53 and the said registration itself confers statutory recognition upon the Waqf institution and its properties under the provisions of the Waqf Act, 1995.

7. While so, Forest officials had been unnecessarily interfering with day to day activities of Madarsa, even going to

the extent of interfering with the educational and recreational activities of the students within the institution's boundaries.

8. On 17.07.2026, during the time of Jumma Namaz, officials of the Forest Department forcibly entered the premises Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District, and tried to obstruct the congregation of worshippers and caused disturbance to the peaceful conduct of Friday prayers, and attempted to intimidate the petitioner and the students by orally directing them to vacate the premises.

9. The interference of Forest officials with day to day day functioning of the Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District, is illegal and arbitrary.

Based on the aforesaid submissions, learned counsel appearing on behalf of the petitioner is entitled for the relief as prayed for, in the present writ petition.

5. Learned Assistant Government Pleader for Forest Department appearing on behalf of the respondents forwarded a copy of the written instructions of the Forest Range Officer, Vikarabad issued vide

Rc.No.74/VKB/2026, dated 30.07.2026 and the relevant portion of the written instructions is extracted hereunder:-

“The allegations made by the petitioner are denied except those specifically admitted herein. **The Forest Department has never interfered with the lawful possession or religious activities carried on within the enclosure. At no point has the Forest Department attempted to dispossess the petitioner otherwise than in accordance with law.**

It is further submitted that the Forest Department, in discharge of its statutory obligations under the forest laws, is duty-bound to protect the Reserved Forest from encroachments, unauthorized activities, dumping of debris, disposal of waste material, and all other activities detrimental to the forest ecosystem. **Any inspection or action undertaken by the Forest Department is only in discharge of its statutory duties for protection and conservation of forest wealth and not with any intention to interfere with the lawful rights of any person.”**

6. Learned Assistant Government Pleader for Forest Department placing reliance on the written instructions dt.30.07.2026 of the Forest Range Officer, Vikarabad and mainly puts forth the following submissions:

i) The Forest Department never interfered with the lawful possession or religious activities of the Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District.

ii) At no point of time, Forest Department even attempted to dispossess the petitioner.

iii) The Forest Department, in discharge of its statutory obligations under the forest laws, is duty –bound to protect the Reserved Forest from encroachments, unauthorized activities, dumping of debris, disposal of waste material and all other activities detrimental to the forest ecosystem.

iv) Any inspection or action undertaken by the Forest Department is only in discharge of statutory duties for protection and conservation of forest wealth and not with any intention to interfere with the lawful rights of any person.

7. Based on the aforesaid submissions, learned Assistant Government Pleader for Forest Department appearing on behalf of the respondents submits that the writ petition is devoid of merits and that the petitioner had approached this Court under apprehension.

8. The specific plea put forth by the petitioner in the affidavit filed in support of the present writ petition pertaining to interference by the Forest Department officials is disputed in the written instructions placed before this Court, issued by the Forest Range Officer, Vikarabad. It is only contended that the Forest Department in discharge of its statutory duties for protection and conservation of forest wealth undertakes certain inspection and action and the same is not with any intention to interfere with any lawful rights of any person. **It is also specifically contended by the Forest Department that they are neither interfering with lawful possession and religious activities of the Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District nor attempted to dispossess the petitioner at any point of time.**

9. **TAKING INTO CONSIDERATION:**

- a) The aforesaid facts and circumstances of the case,
- b) The submissions of the learned counsel for the petitioner and the learned Assistant Government

Pleader for Forest Department appearing on behalf of the respondents,

c) The averments made by the petitioner in support of the case of the petitioner, written instructions placed on record by the Forest Range Officer, Vikarabad dt.30.07.2026,

d) The documents enclosed along with the affidavit filed by the petitioner in support of the present writ petition, indicating legal status of Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District,

e) The plea of the Forest Department that at no point of time, forest officials neither attempted to dispossess the petitioner herein nor interfered with the lawful possession and religious activities of Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District,

f) The discussion and conclusion as arrived at paragraph Nos. 4 to 8 of this order,

This Writ Petition is disposed of directing the respondent forest officials not to interfere with the peaceful possession, administration, management and enjoyment of Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District, without following due process of law. It is further observed that under the guise of the present order, passed in the present writ petition, the Sunni Masjid Osmania and Deeni Madarsa, situated at Ananthagiri hills, Vikarabad District, shall not encroach upon any Reserve Forest area. In the event of any such encroachment, it is open for the respondent Forest Department to initiate appropriate action against the encroachers concerned in accordance to law and as per the provisions of the Forest Rights Act, 2006 and the relevant laws. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

MRS. JUSTICE SUREPALLI NANDA

Date: 04.08.2026

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