

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

**TUESDAY, THE TWENTY THIRD DAY OF JUNE
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 NOS: 620 and 621 OF 2026

WRIT APPEAL NO: 620 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred the order dated 31.03.2026 in W.P.No.1466 of 2026 on the file of the High Court.

Between:

Mr. Abdul Raheem, S/o. Ahmed Salam, Aged about 30 Years, Occ. Business,
R/o. H. No. 9-4-76/A/21, Nizam Colony, Tolichowiki, Hyderabad.

...APPELLANT

AND

1. The State of Telangana, Rep. by Principal Secretary, Home Department, Secretariat, Hyderabad
2. The Commissioner of Police, Hyderabad Commissionerate, Hyderabad.
3. The Deputy Commissioner of Police, Southwest Zone, Hyderabad Commissionerate, Hyderabad.
4. The Asst. Commissioner of Police, Asif Nagar Division, Hyderabad
5. The Station House Officer, Humayun Nagar P.S, Hyderabad

...RESPONDENTS

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 suspend the order dated 31.03.2026 passed in W.P.No.1466 of 2026, pending disposal of the present appeal.

Counsel for the Appellant: SRI T.BALA MOHAN REDDY

Counsel for the Respondents: SRI MAHESH RAJE, GP FOR HOME

WRIT APPEAL NO: 621 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 31/03/2026 in W.P.No.1448 of 2026 on the file of the High Court.

Between:

Syed Akhtar, S/o. Syed Imam, Aged 60 years, Occ. Business, R/o. H.No.9-4-79/19, Nizam Colony. Tolichowki Hyderabad

...APPELLANT

AND

1. The State of Telangana, Rep., by Principal Secretary, Home Department, Secretariat, Hyderabad
2. The Commissioner of Police, Hyderabad Commissionerate, Hyderabad.
3. The Deputy Commissioner of Police, Southwest Zone, Hyderabad Commissionerate, Hyderabad.
4. The Asst. Commissioner of Police, Asif Nagar Division, Hyderabad
5. The Station House Officer, Humayun Nagar P. S, Hyderabad

...RESPONDENTS

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 suspend the order dated 31.03.2026 passed in W.P.No.1448 of 2026, pending disposal of the present appeal, pending disposal of the writ appeal.

Counsel for the Appellant: SRI T.BALA MOHAN REDDY

Counsel for the Respondents: SRI MAHESH RAJE, GP FOR HOME

The Court delivered the following: COMMON JUDGMENT

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 Nos.620 and 621 of 2026

Dated:23.06.2026

W.A.No.620 of 2026:

Between:

Mr. Abdul Raheem

...Appellant

and

The State of Telangana,
Rep. by its Principal Secretary,
Home Department, Secretariat,
Hyderabad,
and 4 others.

...Respondents

W.A.No.621 of 2026:

Between:

Syed Akhtar

...Appellant

and

The State of Telangana,
Rep. by its Principal Secretary,
Home Department, Secretariat,
Hyderabad,
and 4 others.

...Respondents

COMMON JUDGMENT:

Learned counsel Sri T.Bala Mohan Reddy appears for the appellants.

Sri Mahesh Raje, learned Government Pleader for Home, appears for the respondents.

2. W.A.No.620 of 2026 arises out of W.P.No.1466 of 2026 and W.A.No.621 of 2026 arises out of W.P.No.1448 of 2026. Both the writ petitions were dismissed by the learned writ court vide separate orders dated 31.03.2026.

3. The appellants in both the appeals are the writ petitioners who are related and the orders of cancellation of arms licence dated 28.04.2025 impugned in the writ petitions have been passed by the Deputy Commissioner of Police, South West Zone, Hyderabad, on the ground that the appellants are involved in a criminal case, being Crime No.29 of 2025 registered under Sections 318(4), 118(1), 352, 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, by the Humayun Nagar Police Station, Hyderabad. It has come to the notice of the Deputy Commissioner of Police that the appellants are exposing the firearms for settlement of disputes, thereby endangering human life and

in contravention of the conditions of Arms Rules. A reference to the order of the Commissioner of Police, Hyderabad, dated 04.04.2025 has also been made in the said orders while cancelling the arms licence in the interest of public safety and peace. Both the appellants were permitted to sell their arms to any authorized arms dealer or valid arms licence holder within a period of 90 days i.e., on or before 28.07.2025. Being aggrieved, the appellants approached the learned writ court. They also took the ground that no notice was issued before cancellation of their arms licence. Both the writ petitions were dismissed on the same grounds as they are reflected in the impugned orders. The appellants had also taken a plea that the impugned orders of cancellation of arms licence were issued acting upon the note of respondent No.2 and that the statutory appeal provided under the enactment lies before respondent No.1 i.e., Principal Secretary, Home Department, but he is none other than the Commissioner of Police, Hyderabad, under whose authority and whose note the orders of cancellation of arms licence have been passed. Therefore, it would be futile to approach the authority as the remedy will be illusory. However, the learned writ court affirmed the cancellation orders with which the appellants are aggrieved. The learned writ court while dismissing the writ petitions had also mentioned that it would be

open to the appellants to work out their remedies in accordance with law before appropriate authority/forum.

4. We have heard the learned counsel for the parties.

5. The grounds of challenge to the impugned orders are reiterated before us. It is also informed that the person incumbent of the post of Principal Secretary, Home Department, is not the same person upon whose note the impugned orders were passed. The concerned officer has been transferred. Therefore, the learned counsel for the appellants submits that the appellants, if so directed, may avail the remedy of appeal, but the observations made by the learned writ court should not come into its way.

6. Learned Government Pleader for Home has drawn the attention of this court to the impugned orders and the reasons for dismissal of the writ petitions. They are apparently one and the same.

7. Upon hearing learned counsel for the parties and after taking note of the facts and circumstances and the provisions of the Arms Act, 1959 and the Rules thereunder, we are of the opinion that that appellants have straightaway approached the learned writ court without availing the remedy of appeal, perhaps on the conception that the appellate authority

is one and the same upon whose reference, the impugned orders of cancellation of arms licence have been passed. As informed during the course of the present proceedings, the appellate authority - the Principal Secretary, Home Department, is an independent authority and not the same referred to at the second reference in the impugned orders of cancellation of arms licence. The appellants have also taken the grounds on merits that the First Information Report does not refer to any explicit display of arms. Moreover, the 90 days period for selling the weapons was up to 28.07.2025. In such circumstances, the appellants have an effective appellate forum, without exhausting which they have approached the learned writ court and invited the observations on merits as well.

8. In view of the request made on behalf of the appellants, we allow liberty to the appellants to approach the appellate authority within a period of one week from today. In case such an appeal is preferred within the said period of one week, the appellate authority shall endeavour to consider and decide the same in accordance with law within a period of four weeks from the date of filing of such appeal without getting influenced by any observations made by the learned writ court in the impugned judgments. The appellate authority would decide

the appeal on independent consideration of grounds of law and fact as are available and raised by the appellants herein.

9. The present appeals are disposed of accordingly with the aforesaid observations. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/- A.V.S.PRASAD
DEPUTY REGISTRAR
SECTION OFFICER

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To,

1. The Principal Secretary, Home Department, Secretariat, Hyderabad, State of Telangana.
2. The Commissioner of Police, Hyderabad Commissionerate, Hyderabad.
3. The Deputy Commissioner of Police, Southwest Zone, Hyderabad Commissionerate, Hyderabad.
4. The Asst. Commissioner of Police, Asif Nagar Division, Hyderabad
5. The Station House Officer, Humayun Nagar P.S, Hyderabad
6. One CC to SRI T.BALA MOHAN REDDY, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

BSR

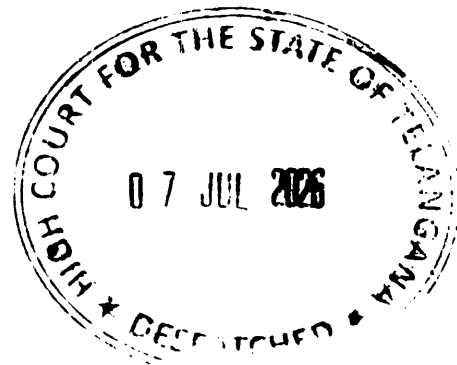
TKS *KG*

HIGH COURT

DATED: 23/06/2026

COMMON JUDGMENT

WA.Nos.620 & 621 of 2026



**DISPOSING OF BOTH THE WRIT APPEAL'S,
WITHOUT COSTS**

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4/7/26