



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 18013 OF 2025 (GM-RES)

BETWEEN:

MUBEEN HASHMI B KHATEEB
GENERAL SECRETARY,
AGED ABOUT 54 YEARS
HAZRAT KHALANDAR SHAH PEER
WALIULLAH ARABIC COLLEGE TRUST,
JAVAGAL - 573 125
RESIDENT AT 120, CENTRAL EXCISE
AND CUSTOMS COLONY, GOKUL ROAD,
HUBLI - 580 030, DHARWAD DISTRICT.

...PETITIONER

(BY SRI. RAHAMATHULLA KOTHWAL, ADVOCATE)

AND:

1. DISTRICT REGISTRAR
REGISTRAR OF SOCIETIES AND
REGISTRAR OF FIRMS,
C.B. MALLEGOWDA COMPLEX,
M.G. ROAD CROSS, CHIKMAGALUR - 577 101.
2. SUB-REGISTRAR,
REGISTRATION AND STAMPS,
DEPARTMENT OFFICE OF THE DEPUTY REGISTRAR,
1ST FLOOR, MINI VIDHANA SOUDHA,
MUDIGERE, MUDIGERE TALUK - 577 132
CHIKMAGALUR DISTRICT.

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



3. HAZRAT KHALANDAR SHAH PEER
WALIULLAH ARABIC COLLEGE TRUST,
JAVAGAL - 573 125,
REPRESENTED BY PRESIDENT.
4. ISAK HAJI
PRESIDENT OF RESPONDENT NO.3 TRUST
S/O PAKER SAHEB, TIMBER MERCHANT,
BALILA VILLAGE, BELLARE,
SULIA TALUK, D.K DISTRICT - 574 212.
5. SYED MAHABOOB
1ST MAIN, 3RD CROSS,
INDIRANAGAR, HARIHAR - 577 601.
6. ASHRAF HAJI
ACHARYA BUILDING, OPP COLLEGE,
JAVAGAL - 573 125.
7. MOHAMMED AKHEEL,
KHALANDAR MANZIL, 1ST FLOOR,
1ST CROSS, 1ST MAIN,
NEAR BILAL MOSQUE, WADI-E-HUDA,
SHIMOGA - 577 201.
8. MOHAMMAD LATEEF SHAIK BERI,
KURUBARA BEEDI, BELUR - 573 115.
9. SAYED NIZAMUDDIN PEERZADE
JB COLLECTION, BEHIND BUS STAND,
HONNALI - 577 217.
10. N YUSUF, KHALANDAR MANZIL,
BOLLAMBALA HOUSE, PANAJE POST,
PUTTUR TALUK - 574 259
11. MOHAMMED HANEEF
MAJESTIC HOTEL, B H ROAD,



ARSIKERE - 573 103.

12. D K SHAUL HAMEED
S/O DK MOHAMED HAJI
NO. 1703, 17TH FLOOR,
WEST WIND APPARTMENT,
OPP S CS HOSPITAL, BENDOOOR WELL
MANGALORE - 575 002.
13. MOHAMMAD RIYAZ C H
S/O. LATE CH ABOOBACKER HAJI
703, MAK LIFESTYLE B C ROAD
VIDYANAGAAR POST,
KASARGOD DIST - 671 121, KERALA.
14. ASLAM SAIT
DADA HOUSE, SANTHPETH,
ARSIKERE - 573 013.

...RESPONDENTS

(BY SMT. SARITHA KULKARNI, AGA FOR R1 AND R2;
VIDE ORDER DATED 14.10.2025, NOTICE TO R3 TO R14 IS
DISPENSED WITH)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE
RESOLUTION OF THE ILLEGAL MEETING THAT WAS HELD ON
01.02.2025 AND NULLIFY THE FRAUDULENT RESOLUTION TO
REMOVE THE PETITIONER FROM THE POSITION OF GENERAL
SECRETARY OF THE TRUST AND ANNEXURE-A AND ITS
FURTHER PROCEEDINGS AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY
HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



ORAL ORDER

1. Learned AGA accepts notice for respondents No. 1 and 2.
2. Notice to respondent no. 3 to 14 is dispensed with in view of proposed order to be passed.
3. The petitioner is before this court seeking for the following reliefs:
 - i. *Quashing the Resolution of the illegal meeting that was held on 01.02.2025 and nullify the fraudulent resolution to remove the petitioner from the position of General Secretary of the trust Annexure-A in so far as petitioner is concerned.*
 - ii. *Issue a writ in the nature of Mandamus directing the Respondent no.1 and Respondent no.2 to consider the Representation of Petitioner, dated 28.02.2025 vide Annexure-H.*
 - iii. *Restraining the Respondents, their agents, servants, and assignees, from interfering with the Petitioner's functions and duties as General Secretary of the Trust.*
 - iv. *Pass any such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in the interest of justice and equity.*
4. The grievance of the petitioner is that in pursuance of an illegal meeting held of respondent no.3-trust, a resolution has been passed removing the petitioner from the position of General Secretary, and thereafter an amended trust deed has been registered by respondent no.2. It is



the said amended trust deed that the petitioner has challenged by challenging the resolution.

5. The resolution pertains to a trust, and the dispute between the petitioner and respondents no.4 to 14 would therefore have to be resolved by a challenge made with regard to the alleged fraudulent resolution before the appropriate and competent court. So long as the said resolution is in force, the action of respondent no.2 cannot be interfered with.
6. In that view of the matter, reserving liberty to the petitioner to avail of such remedies as are available under the Civil Laws, the petition stands ***disposed of.***
7. Needless to say, if the petitioner were successful in that proceedings, then necessary application could be made before respondent no.2-sub-registrar, for cancellation of the amended trust deed.

SD/-
(SURAJ GOVINDARAJ)
JUDGE