

WP NO. 202214/2026 (GM - WAKF)

IN THE HIGH COURT OF KARNATAKA AT KALABURAGI

[SRI HUSSAIN SAB VS. THE STATE OF KARNATAKA AND
OTHERS]

16.06.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE K V ARAVIND

ORAL ORDER

Heard Sri Arunkumar Amargundappa, learned counsel for the petitioner, learned Additional Government Advocate for respondent No.1 and Sri P.S. Malipatil, learned counsel for respondent Nos.2 to 4.

2. The order dated 26.05.2026 authorizing Divisional Wakf Officer, Kalaburagi Division to perform Moharram 2026 in respect of Hussaini Alam Ashurkhana (Sunni) Ayanoor village, Sindhanur taluk, Raichur District is under question.

3. Learned counsel for the petitioner submits that the performance of Moharram festival involves certain religious rituals and ceremonies which Divisional Wakf Officer cannot perform. In the absence of performing such religious rituals and ceremonies, it would breach the customary practices.

4. Learned counsel appearing for respondent Nos.2 to 4 - Wakf Board submits that the petitioner can be permitted to perform the religious rituals and ceremonies for Moharram Festival, 2026 in respect Hussaini Alam Ashurkhana (Sunni) Ayanoor village, Sindhanur taluk, Raichur District, however, subject to directions, guidance and supervision of Divisional Wakf Officer.

5. The suggestion made by learned counsel appearing for the Wakf Board appears reasonable considering that the religious rituals and ceremonies would start from 17.06.2026 as submitted.

6. Learned counsel appearing for impleading applicant submits that before appointment of the petitioner as Mutawalli in the year 2022 for a period of three years, the impleading applicant was performing the ritual as a hereditary Mutawalli and impleading applicant is to be permitted to perform the rituals.

7. The contention urged by the impleading applicant requires further consideration.

8. Pending consideration of the contentions urged by the impleading applicant, the petitioner is permitted, by way of an interim measure, to perform the religious rituals and ceremonies for Moharram Festival, 2026 in respect of Hussaini Alam Ashurkhana (Sunni) Ayanoor village, Sindhanur taluk, Raichur District subject to the guidance, supervision, direction and instructions of Divisional Wakf Officer. Respondent No.3 is entitled to receive the donation. Further the petitioner is directed to hand over the gold, silver and keys of the Wakf Institution to respondent No.2 under valid receipt immediately after completion of Moharram festival.

Hand delivery of this order is permitted.

**Sd/-
(K V ARAVIND)
JUDGE**