



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 203773 OF 2025 (GM-WAKF)

BETWEEN:

THALABVADI MOSQUE
SYED NIYAMATHULLA QUADRI,
ALLAHUKUR DARGAH, VIJAYAPURA (SUNNI),
VIJAYAPURA,
THROUGH MUTAWALLI
SYED HASANMIYAN @ NAYEEM KHADRI
S/O IMAMUDDIN KHADRI,
AGE: 74 YEARS, SAJJAD-E-NASHIN AND MUTAWALLI,
DARGHA SYED NIYAMATHULLA QUADRI,
SAKAF ROZA, VIJAYAPURA-586101.

...PETITIONER

(BY SRI. KOUJALAGI CHANDRAKANTH LAXMAN, ADVOCATE)

AND:

1. THE CHIEF EXECUTIVE OFFICER,
KARNATAKA STATE BOARD OF AUQAF,
6TH CUNNINGHAM ROAD, BENGALURU-560052.
2. THE DISTRICT WAKF OFFICER,
TAJBAVADI, VIJAYAPURA-586101

...RESPONDENTS

(BY SRI. MD. ZULFIQAR ALI, ADVOCATE FOR R1;
NOTICE TO R2 SERVED)

Digitally signed
by SACHIN
Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) A WRIT OF MANDAMUS TO ISSUE THE DIRECTION TO THE RESPONDENT NO.1 TO CONSIDER THE REPRESENTATION GIVEN BY THE PETITIONER ON DATED 21.03.2024 VIDE PRODUCED AND MARKED AS VIDE AT ANNEXURE-D. B) ISSUE ANY OTHER WRIT OR ORDER OR DIRECTION TO MEET THE ENDS OF JUSTICE UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

This writ petition under Articles 226 and 227 of the Constitution of India is filed with a prayer to issue a writ of mandamus, directing respondent No.1 to consider the representation of the petitioner dated 21.03.2024 vide Annexure-D.

2. Heard the learned counsel for the parties.

3. Petitioner has submitted a representation before respondent No.1 vide Annexure-D dated 21.03.2024 with a prayer to release the rent amount



deposited before this Court in W.A.No.50412/2013 which was disposed of on 28.04.2014. Grievance of the petitioner is that the said representation is not considered by respondent No.1 till date.

4. Perusal of the material on record would go to show that Division Bench of this Court on 11 .06.2018 has passed an order on I.A.No.1/2017 filed by the petitioner herein, reserving liberty to file necessary application before respondent No.1 herein for release of the amount deposited before this Court in W.A.No.50412/2013, which was released in favour of the Karnataka Waqf Board by this Court.

5. Pursuant to the said order dated 11.06.2018 passed by this Court W.A.No.50412/2013, petitioner appears to have filed the representation at Annexure-D dated 21.03.2024. Under the circumstances, respondent No.1 is duty bound to consider the representation submitted by the petitioner. Accordingly, the following:



ORDER

- i) The writ petition is ***allowed***.
- ii) Respondent No.1 is directed to consider the representation of the petitioner at Annexure-D dated 21.03.2024 and pass appropriate orders in accordance with law as expeditiously as possible, but not later than a period of three months from the date of receipt of copy of this order.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SN/NJ
List No.: 1 Sl No.: 89
CT:PK