

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.No.4406 of 2019

ORDER:

Heard Sri P.Venugopal, learned senior counsel appearing for the petitioner and Sri M.A.Mujeeb, learned Standing Counsel for Respondent-Wakf Board.

2. Petitioner claims to represent Akhbari, sub-sect of Shia community of Muslims. On 28.1.2019, petitioner made a representation to the State Wakf Board complaining that though there are number of Masjids in the cities of Hyderabad and Secunderabad, no Masjid is maintained by this sect, thereby causing discrimination among the Muslim community, which is illegal. On 29.1.2019 another representation was made to the Secretary, Minority Welfare, Hyderabad, requesting to appoint Akhbari sect personnel as Pesh Imams in some of the Masjids. In this representation, a specific plea was made that there is one abandoned Masjid and if it is handed over to the petitioner, petitioner will manage and conduct the affairs of Masjid as per the Akhbari customs. Alleging inaction on the part of the respondents, this writ petition is filed.

3. The learned Standing Counsel prima facie contends that there is no such provision of law, which enables appointments from Akhbari sect of Shia Muslims as Pesh Imams and conduct affairs of Masjids as per Akhbari customs. However, he submits that the representations dated 28.1.2019 and 29.1.2019 are yet to be acted upon.

4. If that being so, the writ petition is disposed of, directing the Respondent Wakf Board to consider the request made by the petitioner through representations dated 28.1.2019 and 29.1.2019 with reference to provision of

representation of Akhbari sect of Shia community Muslims in the matter of appointments as Imams and Pesh Imams in the Masjids, in accordance with law and the decision taken thereof shall be communicated to the petitioner within a period of eight weeks from the date of receipt of this order. It is made clear that there is no expression of opinion on the merits of the matter. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 2.4.2019
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