

## Mosque

It is a fundamental principle of the Muhammadan Law of Waqf that when a mosque is built and consecrated by public worship, it ceases to be the property of the builder and vests in God. A mosque once so consecrated cannot in any case revert to the founder and every Muhammadan has the legal right to enter it, and perform devotions according to his own tenets so long as the form of worship is in accord with the recognised rules of Muhammadan Ecclesiastical Law. A mosque from its very nature is dedicated for worship and is open to all Muslims local and others. Once the mosque was constructed it stood dedicated to God and the owner is divested of his right, title and interest in the property. The very concept of a private mosque is unknown to Muslim Law. Once the founder dedicates a particular property for the purpose of a public mosque, no Muslim can be denied the right to offer prayers therein on the ground that the mosque fell into disuse long back. And from the mere fact that in the village plan a mosque is shown to have existed in the year long back, the disputed piece of land has become a waqf by user although there is no evidence of an express dedication and any attempt to prevent from coming over to the property and saying the prayers cannot be permitted. [Abdul Azeez v Sundaresa Chettiar AIR 1993 Mad 169 Para 16]