

# Mosque to be demolished ?

THE Johannesburg Property Company (JPC) made it known to *Rising Sun* that Firdous Mosque, allegedly built illegally on municipal land, will be demolished.

## Johannesburg Property Company

Helen Botes, Managing Director of JPC, said, "The Company will be in court this week, and apply for a demolition order for the structure. Thereafter, the necessary steps to implement the action will be implemented."

In the meanwhile the place is under guard, and all religious services have been halted. "The lease for the land, demarcated as an open public space, had expired in November last year. It was disappointing that despite warning from the local

(Lenasia) ANC councillor, not to erect on the land with out proper procedures followed, went ahead to do so," said JPC spokesperson Brian Mahlangu. (see *press release below*)

## Council's response

Councillor Shahida Kazie commenting on the matter said, "The City has to take the necessary steps to safeguard itself against illegal land invasion and the law must take its course."

## Response from legal representative

The *Rising Sun* contacted Aboobakr Ismail, who put up the mosque, and was referred to his legal representative, Shaheed Dollie,

who stated:

"We have considered the content of the press release of Mr Mahlangu (see below). The press release is factually incorrect in numerous respects. No request was made by the JPC that the structure be demolished; it was also not agreed that the structure would be demolished or that the current occupation is unlawful."

He added that pursuant to an urgent application launched by the JPC on Friday, August 13, it was agreed that the building not be occupied in any manner whatsoever pending a regularisation process. "That regularisation process will commence as soon as is reasonably possible."

"Since the matter is subject to matter of litigation it would be most inappropriate to comment on these matters in a public forum.

Our failure, on behalf of our client, to debate the merits (or demerits) of the party's respective contentions should not be considered a waiver of any of our client's rights or an admission of the contentions raised by the JPC."

Dollie also mentioned a document that allegedly demonstrates that his "client acted *bona fide* and in the best interests of the community" as well as the e-mail, allegedly addressed by a Councillor, to our client in terms whereof she confirms that our client's proposal to lease the premises from JPC was successful and was subject only to a formal lease agreement being drafted."

Dollie further noted a document allegedly indicating that Ismail "made payment to JPC of a lease deposit, which was accepted by JPC on August 3, 2010".

