

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM

THE HONOURABLE THIRU JUSTICE **M. DURAISWAMY**

C.R.P.(NPD)No.3297 of 2016
and CMP No.16818 of 2016

C.A. Rajadurai

.... Petitioner

VS

1. Butt Road Jumma Mazith Committee
rep by its Secretary,
A.M. Hussain
5/64, Butt Road,
St. Thomas Mount,
Chennai – 600 016
2. The Junior Engineer,
Tamil Nadu Electricity Board,
St. Thomas Mount,
Chennai-600 016
3. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 21.09.2016 passed in E.P No.25 of 2016 in O.S.No.163 of 1999 on the file of Principal Sub Court/Wakf Tribunal, Chengaplattu.

For Petitioner : Mr.V. Anand
For 1st respondent: Mr.R. Raja Rajan for
Mr.N. Sathiyamoorthi

ORDER

Challenging the order passed in E.P.No.25 of 2016 in O.S.No.163 of 1999 on the file of Principal Sub Court/Wakf Tribunal, Chengalpattu, the Judgment Debtor has filed the above Civil Revision Petition.

2. Pursuant to the decree passed in the suit in O.S.No.163 of 1999, the first respondent/Decree Holder filed an Execution Petition in E.P.No.25 of 2016.

3. When the matter is taken up for hearing, the learned counsel, appearing for the petitioner/judgment debtor, submitted that the revision petitioner is willing to vacate the premises in six months time and to that effect, the petitioner has filed an affidavit of undertaking.

4. The learned counsel, appearing for the first respondent/Decree Holder has no objection in granting six months

time to the petitioner to vacate and hand over vacant possession of the suit property.

5. In view of the submissions made by the learned counsel on either side, the order passed in the Execution Petition in E.P.No.25 of 2016 is confirmed. The petitioner/judgment debtor is granted six months time to vacate and hand over vacant possession of the suit property, without driving the first respondent/Decree Holder to prosecute the execution proceedings further. The affidavit of undertaking, filed by the petitioner is taken on record and it shall form part of the record. The petitioner is directed to pay future rents without any default till he vacates and hand over vacant possession to the first respondent/Decree Holder. With these observations, the Civil Revision Petition is dismissed. No costs. Consequently, connected CMP is closed.

24-10-2016

sr

Index:no
website:yes

To
The Principal Sub Court/Wakf Tribunal, Chengaplet.

M. DURAISWAMY,J.,

sr

CRP(NPD)No.3297 of 2016

24-10-2016