

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.08.2017**

CORAM:

THE HONOURABLE MR.**JUSTICE M.GOVINDARAJ**

C.R.P. (NPD) No.2680 of 2017

and

C.M.P.No.12747 of 2017

Kilakkutheru Muslim Jamaath Pallivasal Waqf,
Rep. by its President P.A.Segu Abobaker

...Petitioner

Vs.

1.Sara Begam

2.The Estate Officer,
Tamil Nadu Public Premises
Waqf house No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar
Chennai 600 001.

... Respondent

Prayer: Civil Revision Petition has been filed under Article 227 of the Constitution of India to set aside the judgment and decree passed in C.M.A.No.48/2016 of 2016 dated 06.01.2017 on the file of the Principal Judge, City Civil Court at Chennai.

For Petitioner : Ms.A.Ajmath Begam

ORDER

The petition is directed against the order passed by the Principal Judge, City Civil Court, Chennai, the Appellate Authority in C.M.A.No.48 of 2016 in remanding the matter for considering the reply given by the first respondent / tenant. The Appellate Authority has also found that no materials have been produced by

M.GOVINDARAJ.,J.

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the petitioner / Waqf and no amount is mentioned as enhanced rent. Therefore directed the second respondent to decide the case on merits, after giving opportunity to the first respondent/tenant. This court does not find any discrepancy in the order passed.

2.The learned counsel for the petitioner submitted that they will be satisfied, if a direction is given to the second respondent for expeditious disposal.

3.Accordingly, the Civil Revision Petition is disposed of with a direction to the Second Respondent to dispose of the petition as expeditiously as possible.

4.The first respondent admittedly tendered rent through demand draft, which was refused and returned by the petitioner. Now, the petitioner is willing to accept the rent. It is open for the first respondent / tenant to settle the entire rental claims made by the petitioner before the Estate officer, the second Respondent.

5.The Civil Revision petition is disposed of with the above observations. Consequently, connected miscellaneous petition is closed. No order as to costs.

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To.

- 1.The Estate Officer, Tamil Nadu Wakf Board.
- 2.The Principal Judge,City Civil Court, Chennai.

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