

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.04.2018

CORAM

The Hon'ble Mr.Justice **P.VELMURUGAN**

CRP(PD).No.1483 of 2018 &
C.M.P.No.7894 of 2018

Abdul Aleem

..

Petitioner

vs.

A.M.Hameed Maraikayar Family Trust,
Joint Trustees,
1.H.A.Fathima Nachiyar
2.A.MAhamed Maraikayar
3.Thaadhi Jabbar

..

Respondents

Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 03.02.2018 made in E.P.No.52 of 2017, in R.C.O.P.No.1 of 2014 on the file of the learned District Munsif, Nagapattinam.

For Petitioner सत्यमेव जयते ... M/s.M.Govindaraju

ORDER

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The Civil Revision Petition has been filed by the petitioner against the order made in E.P.No.52 of 2017, in R.C.O.P.No.1 of 2014 on the file of the learned District Munsif, Nagapattinam.

2. The learned counsel for the petitioner would submit that the respondents 1 to 3 herein have filed an eviction petition in E.P.No.52 of 2017 against the 1st revision petitioner praying to deliver the vacant possession of the schedule property and handover the same and the same was ordered directing the respondents 1 and 2 therein/1st petitioner and 3rd respondent herein to vacate the petition premises and hand over the same to the land lord.

3. Aggrieved against the same, the present Civil Revision Petition has been preferred on the ground that the main RCOP.No. 1 of 2014 itself is not maintainable as the petition property governed by WAKF Board, does not come under the purview of Tamil Nadu Buildings (Lease and Rent Control Act, 1960) (Tamil Nadu Act 18 of 1960). This fact is not considered by the Rent Controller.

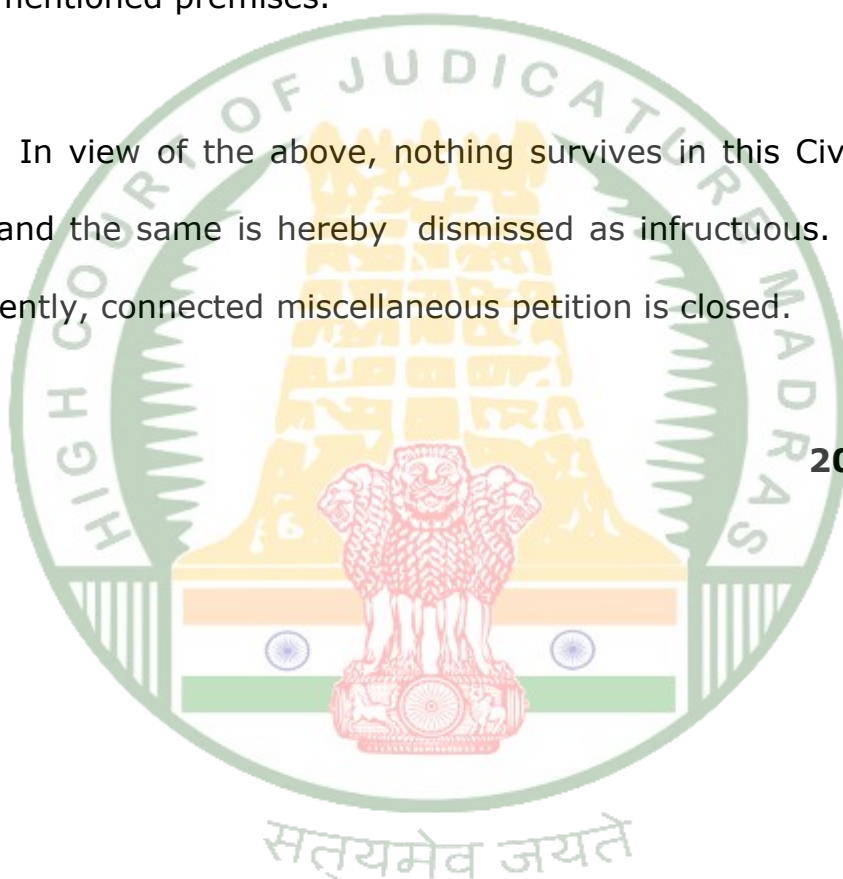
4. Aggrieved against the eviction order passed by the Rent Controller, appeal has been preferred by the tenant/revision petitioner herein before the Rent Control Appellate Authority and the same is pending.

5. In the meantime, the Execution Proceedings have been initiated and the same was proceeded and since there was no stay now the land lord/respondents have taken delivery of possession of the petition mentioned premises.

6. In view of the above, nothing survives in this Civil Revision Petition and the same is hereby dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

20.04.2018

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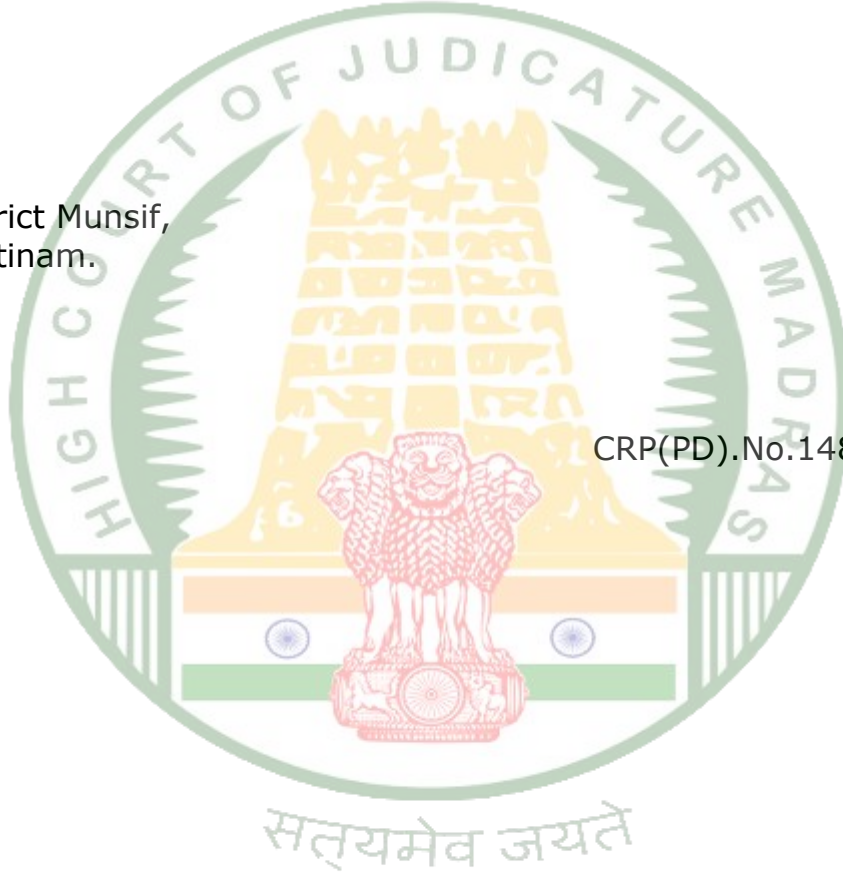


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P.VELMURUGAN.J,
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To

The District Munsif,
Nagapattinam.



CRP(PD).No.1483 of 2018

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