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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 30TH DAY OF NOVEMBER 2018

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

A. No.8212, 8217 & 8219 of 2018

in

C.S. No.1306 of 1992

E.Feroz

residing at Gulistan,
No.9, Sardar Patel Road,
Adyar, Madras - 600 020.

... Plaintiff

-Versus-

1. Khan Sahib Mahdi Hussain Sahib
Wakf estate, represented by its
Muthavalli Mrs.Shanoo Khaleel
No.32/1, R.V.Road, Basavangudi,
Bangalore - 4.

2. Mrs.Shanoo Khaleel (Deceased)

3. A.Mohamed Ali
'Gulistan', No.9, Sardar Patel Road,
Adyar, Madras - 20.

4. A.Asgar Ali (deceased)

5. Mrs.Hasina Begum (deceased)

6. Zahir Hussain alias Niaz

7. Farida Begum

8. Asif Hussain

9. Mrs.Naseera Begum

Defendant 6 to 9 are residing at
'Gulistan', No.9, Sardar Patel Road,
Adyar, Madras - 20.

10. M.A.Subban

12, Damodarpuram, Adyar,
Madras - 600 020.

11. Mrs.Mumtaz Begum

Residing at No.32, Coles Road,
Contonment, Bangalore.

12. M.A.Sattar (died)



13. Modi Habibullah
24, Bore Bank Road,
Benson Town, Bangalore - 46.

* 14. Mrs. Shameem Mecci

* 15. Mr. Yusuf Hussain,
rep. by its P.A. Holder, Mr. Shameem Mecci,

* 16. Mr. A.A. Khaleel
Defendants 14 to 16 residing at No. 14,
Plot No. 25, Advocate Janakiraman Street,
Muthu Lakshmi Nagar, Chitlapakkam,
Chennai - 600 064.

* D14 to D16 impleaded as per order dated 21.09.2007 in
Appl. No. 3517 of 2007 extended dated 03.04.2008.

* 17. Modi Azeem,
Son of Modi Abdullah
No. 24, 2nd Cross Wheeler Road,
Sindhi Colony, Bangalore - 560 006.

* (17th defendant impleaded as per order dated 05.10.2009
in A.No. 870 of 2001)

* 18. Mrs. Reshma, D/o. late Parveen Banu

* 19. Ms. Kiran D/o. late Parveen Banu
* Defendants 18 & 19 are residing at
No. 27, Pantheon Apartments,
Pantheon Road, Egmore,
Chennai - 600 008.

* 20. Mrs. A. Shahin Alam,
D/o. Late Hussain Begum,

* 21. Mr. Abbas Hussain, S/o. Late Hasina Begum

* D21 name amended as per order
of this court dated 23.03.2011 in A.No. 1745 of 2011
in C.S.No. 1306 of 1992.

* 22. Mr. Mohamed Hussain,
S/o. Late Hasina Begum

Defendants 20 to 22 are residing at
No. 9, New No. 112,
Sardar Patel Road, Adyar,
Chennai - 600 020.



* (D18 to D22 impleaded as LRs of deceased d5 as per orders in A.No.4929 of 2010 dated 15.09.2010.)

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* 23. Khalid Mohammed Modi,
S/o. Late M.A.Sattar
No.32, 3rd Floor, Cotts Road,
Frazer Town, Bangalore - 560 019.

* (D23 Defendant impleaded as L.Rs of 12th defendant as per the order of this court dated 17.02.2011 and extended by orders dated 24.02.2011 & 28.02.2011 in A.No.949 of 2011 in C.S.No.1306 of 1992.)

* 24. Dr.Mrs.Nahid Khaleel

* 25. Mrs.Salmakhaleel
Defendants 24 and 25 residing at 32/1,
R.V.Road, Basavangudi, Bangalore - 4.

* (Defendants 24 and 25 are brought on record as legal heirs of the deceased 2nd defendant as per order dated 24.01.2013 in A.No.322 of 2013)

** 26. Mrs.Sarwari Begum,
W/o. Late A.Asgar Ali

** 27. Mrs. Nawreen Fathima,
D/o. late A.Asgar Ali

** 28. Mr.Arshed Ali,
S/o. late A.Asgar Ali
Defendants 26 to 28 are residing at
No.E-145, 5th Main Road, Kamaraj Nagar,
Thiruvanniyur, Chennai - 600 041. ... Defendants
** (Defendants 26 to 28 are brought on record as legal heirs of deceased 4th defendant and as per order dated 25.02.2014 in A.No. 1362 of 2014 & Extended as per order dated 10.03.2014 in C.S.No.1306 of 1992.)

A. Nos.8212, 8217 & 8219 of 2018:-

Khan Sahib Mahdi Hussain Sahib Wakf Estate,
rep. by Advocate Receiver,
Mr.V.Pauldas, Advocate,
No.66, Additional Law Chambers,
High Court Compound,
Chennai-600 104... Applicant/Advocate Receiver-1st Defendant

-Versus-

1. Mr.E.Feroz
S/o.Late A.Ebrahim Ali,
Gulistan, No.9, Sardar Patel Road,
Adyar, Chennai-600 020. ... 1st Respondent/Plaintiff

2. Mrs.Shanoo Khaleel (Deceased)



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3. Mr.A.Mohamed Ali,
S/o.Late Akbar Ali,
'Gulistan', No.9,
Sardar Patel Road,
Adyar, Chennai-600 020.
4. Mr.A.Asgar Ali (died)
rep. by Legal Heirs Respondents 26 to 28
5. Mrs.Hasina Begum (deceased)
6. Mr.A.Zahir Hussain,
S/o.Late Amir Ali,
7. Ms.Farida Begum
D/o.Late Amir Ali,
8. Mr.Asif Hussain
S/o.Late Amir Ali,
9. Mrs.Naseera Begum
W/o.Amir Ali,
6 to 9 are residing at
'Gulistan', No.9, Sardar Patel Road,
Adyar, Madras - 20.
10. Mr.M.A.Subban
S/o.late Abbasi Begum,
No.12, Damodarpuram,
Adayar, Chennai-600 020.
11. Mrs.Mumtaz Begum
D/o.late Abbasi Begum,
No.32, Coles Road,
Contonment, Bangalore.
12. M.A.Sattar (Deceased)
13. Modi Habibullah
S/o.Late Mrs.Abbasi Begum,
No.24, Bore Bank Road,
Benson Town, Bangalore - 46.
14. Mrs.Shameem Mecci,
W/o.Sajjad Ahmed Mecci,
15. Mr.Yusuf Hussain,
rep.by its P.A.Holder, Mr.Shameem Mecci,
16. Mr.A.A.Khaleel,
14 to 16 residing at No.14,
Plot No.25, Advocate Janakiraman Street,



Muthu Lakshmi Nagar, Chitlapakkam,
Chennai - 600 064.

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Son of Modi Abdullah
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D/o. late Parveen Banu
19. Ms.Kiran
D/o. late Parveen Banu
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D/o. Late Hasina Begum,
21. Mr.Abbas Hussain,
S/o. Late Hasina Begum
22. Mr.Mohamed Hussain,
S/o. Late Hasina Begum
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Chennai - 600 020.
23. Mr.Khalid Mohammed Modi,
S/o. Late M.A.Sattar
No.32, 3rd Floor, Cotts Road,
Frazer Town, Bangalore - 560 019.
24. Dr.Mrs.Nahid Khaleel,
D/o.Late Shanoo Khaleel,
25. Mrs.Salmakhaleel,
D/o.Late Shanoo Khaleel,
24 and 25 residing at No.32/1,
R.V.Road, Basavangudi, Bangalore-560 004.
26. Mrs.Sarwari Begum,
W/o. Late A.Asgar Ali
27. Mrs. Nawreen Fathima,
D/o. late A.Asgar Ali
28. Mr. Arshed Ali,
S/o. late A.Asgar Ali
26 to 28 are residing at



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T-21.02.2019

A. Nos.8212, 8217 & 8219 of 2018
in
C.S. No.1306 of 1992

ORDER :-

DATED 30.11.2018

THE HON'BLE MR.JUSTICE
R.SURESH KUMAR

FOR APPROVAL:22/02/2019

APPROVED ON:22/02/2019

Copy to:-

1. Mr.V.Pauldas,
Advocate Receiver,
No.66,Addl. Law Chambers,
High Court Compound,
Chennai-600 104.

2. Receiver seat