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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13..12..2019

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Civil Revision Petition No.4114 of 2019
and
C.M.P.Nos.26828 and 26829 of 2019

Mrs.Dilshad Begum

... Petitioner

-Versus-

- 1.Azaar-e-Sheriff Wakf,
Rep. by its so called Muthavalli
Mr.K.P.Ismath Basha,
S/o.Fakir Mohammed,
No.18, New No.21,
Walajah Big Mosque Lane,
Ellis Road,
Chennai 600 002.
- 2.Mrs.Balkis Begum,
- 3.The Executive Engineer,
Town Planning Enforcement,
Office of Regional Joint Commissioner,
Corporation of Chennai Zone IX,
No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai 600 034.
- 4.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

... Respondents

Petition filed under Article 227 of the Constitution of India, praying to struck off the plaint in O.S.No.9 of 2018 (previously O.S.No.3019 of 2017) on the file of the Wakf Tribunal, Chennai on the ground of abuse of process of law and lack of jurisdiction.



For Petitioner

: Mr.V.Bhiman
Mr.A.Ilayaperumal

for

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ORDER

When this revision petition is taken up for hearing the learned counsel for the petitioner submitted that in respect of the very same property, a writ petition in W.P.No.33500 of 2019 has been filed and the same is pending and therefore, the petitioner may be permitted to withdraw the revision petition with liberty to work out her remedy in the pending writ petition and also to file appropriate application for rejection of the plaint. He has also made an endorsement to that effect.

2. In view of the above, this Civil Revision Petition is dismissed as withdrawn. It is always open to the petitioner to work out her remedy in the pending writ petition and it is also made clear that it is always open to the petitioner to file appropriate application before the court below for rejection of plaint, if so advised, for which no liberty needs to be given in this revision petition. No costs. Consequently, connected CMPS are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Wakf Tribunal,
(I Assistant Judge, City Civil Court, Chennai

2.The Executive Engineer,
Town Planning Enforcement,
Office of Regional Joint Commissioner,
Corporation of Chennai Zone IX,
No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai 600 034.



3.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

+1cc to Mr.A.Ilaya Perumal, Advocate sr.104088

Civil Revision Petition
No.4114 of 2019

spd(co)
nr 21/01/2020