

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CRP.No.1055/2021

[Video Conferencing]

1.K.Mohamed Nayeem

2.Mr.K.Zaiullah

.. Petitioners/Petitoiner/Respondent/Respondent

Vs

M/s.Ismail Musa Wakf  
represented by its Muthavalli  
Mr.Aejaz Sait,  
'Yafa Guest House',  
4<sup>th</sup> Floor, No.22, Model School Road  
Chennai 600 006.

.. Respondent/Respondent/Petitioner/Petitioner

Prayer:- This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the dismissal order dated 01.03.2021 passed in MP.No.492/2018 filed in MP.No.364/2017 in RCOP.No.1698/2016 by the learned XVI Judge, Small Causes Court, Chennai.

For Petitioners : Mr.L.Gavaskar

ORDER

- (1) This revision is against the order, refusing to condone the delay in seeking to set aside the ex-parte order in MP.No.364 of 2017, which is an application under Section 11[4] of the Tamil Nadu Buildings [Lease and Rent Control] Act, 1960.
- (2) A reading of Section 23 of the said Act would reveal that the order under challenge is an appealable order and not a revisable order. Hence, this Civil Revision Petition is not maintainable.
- (3) Accordingly, this Civil Revision Petition is dismissed. However, liberty is preserved to the petitioner to file an appeal against the order, along with an appropriate application for condonation of delay. No costs.

- (4) The Registry is directed to return the certified copies of the common, fair and decreetal order dated 01.03.2021 to the learned counsel for the Revision Petitioner.

Sd/-  
Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

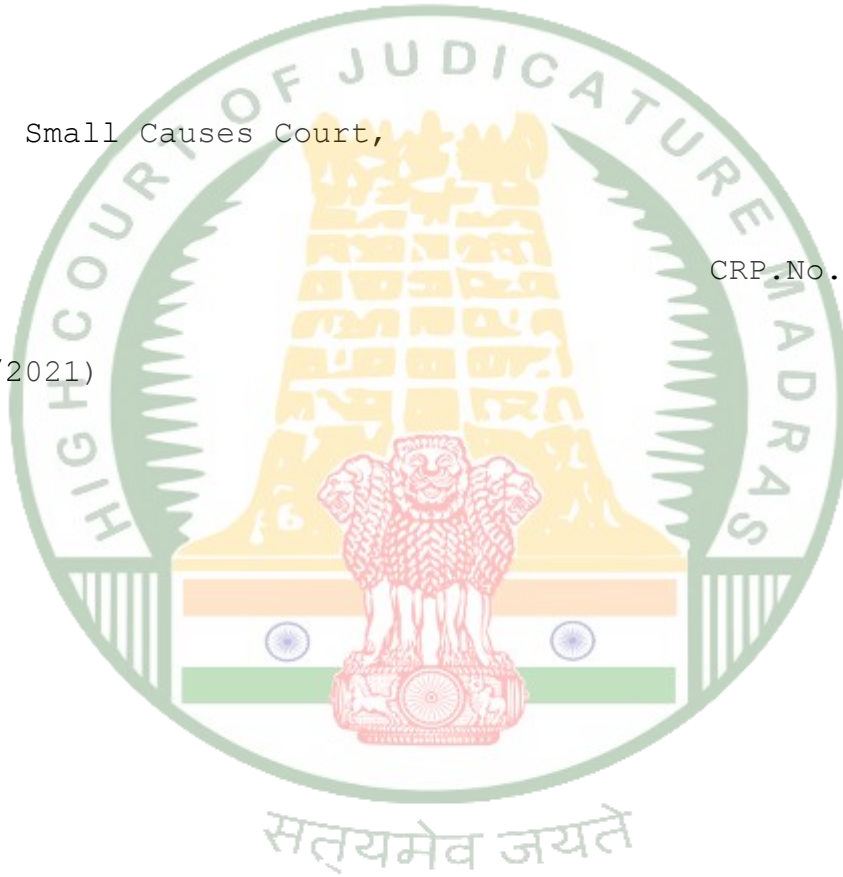
AP

To

XVI Judge, Small Causes Court,  
Chennai.

SRA (CO)  
GMY (08/07/2021)

CRP.No.1055/2021



WEB COPY