

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE G.CHANDRASEKHARAN

C.R.P.(PD). No.1862 of 2021

(Through Video Conference)

G. Mohanasundaram

...Petitioner

Versus

1. The Secretary

Masjid E. Mamoor Committee,
No.186, Angappan Street,
Chennai- 600 001.

2. The Estate Officer and Chief Executive Officer,

Waqf House,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Street,
Chennai- 600 001

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal City Civil Court, Chennai to dispose of I.A.01 of 2021 in C.M.A.No.30 of 2021 within a time frame to be fixed by this Court.

For Petitioner : M/s. Govind Chandrasekhar.

ORDER

This Civil Revision Petition is filed to give directions to the learned Principal Judge, City Civil Court, Chennai to dispose I.A.No.1 of 2021 in C.M.A.No.30 of 2021 within a time frame to be fixed by this Court.

2. The learned counsel for the petitioner submitted that the petitioner filed a suit in O.S.No.2234 of 2012 against the respondents for the relief of permanent injunction restraining the respondents, their men, agents, subordinates or persons claiming under them from interfering with the petitioner's peaceful possession and enjoyment of the suit property. The suit was decreed in favor of the petitioner on 13.07.2015. The respondents filed an appeal in A.S.No.304 of 2017. The said appeal came to be dismissed on 04.10.2017. The respondents again preferred a Second Appeal in S.A No.1033 of 2019 and it is pending. Meanwhile, the respondents moved the Estate Officer and Chief Executive Officer/ second respondent herein for evicting the petitioner and the Estate Officer has passed an order on 03.08.2021 evicting the petitioner from the scheduled premises within a period of fifteen(15) days from the date of receipt of a copy of the order. Against the said order, the petitioner preferred C.M.A.No.30 of 2021 and I.A.No.01 of 2021 for the grant of stay. Now, the learned counsel for the petitioner prays for a direction to be given to the learned Principal Judge, City Civil Court, Chennai for the disposal of I.A.No.01 of 2021.

3. Considered the submissions made by the learned counsel for the petitioner and perused the records.

4. It is seen from the adjudication made on 26.08.2021 by the learned Principal Judge, City Civil Court, Chennai that notice was ordered to the respondents returnable by 06.09.2021. It is not known as to whether notice has been served on the respondents. Therefore, this Court is not in a position to give any direction as prayed by the petitioner. However, the petitioner is given liberty to approach the learned Principal Judge, City Civil Court, Chennai, with a request to dispose I.A.No.01 of 2021 speedily. On such request being made by way of an application, the learned Principal Judge, City Civil Court, Chennai is directed to dispose I.A.No.01 of 2021 as expeditiously as possible.

5. With the above directions, this **Civil Revision Petition is Disposed.**

No costs.

08.09.2021

Index: Yes/ No

Speaking Order / Non-Speaking Order

sts/JAI

To

The Principal City Civil Court,
Chennai.

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G.CHANDRASEKHARAN, J.,

sts/JAI



Order made in
C.R.P.(PD). No.1862 of 2021

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08.09.2021

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