



C.R.P. No. 2352 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.07.2023

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.R.P. No. 2352 of 2023

K. Khalid Ahmed Sheriff

...Petitioner

.Vs.

1. Saifulla

2. Haji S Moulana

3. The Project Officer
State Industries promotion Corporation
of Tamilnadu Limited
Sipcot Project Office, Hosur - 635 126

4. The General Manager
State Industries promotion Corporation
of Tamilnadu Limited
19-A, Rukamani Lakshmipathi Road,
Chennai - 600 008

...Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Hon'ble District Munsif Court, Hosur to



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dispose of the O.S.No.13 of 2018 within the time to be stipulated by the Hon'ble Court and pass orders.

For Petitioner : Mr. R. Bharath Kumar

ORDER

This petition is filed to issue a direction to District Munsif Court, Hosur to dispose of the O.S.No.13 of 2018 within a time frame.

2. The facts of the case is that the petitioner is in possession of two shops by way of a lease agreement. He pledged the lease agreement with one Shekar and borrowed a sum of Rs.6,75,000/- from him on 22.12.2006. Thereafter, when the said Shekar demanded for re-payament of the borrowed amount, the petitioner was able to re-pay only Rs.3,00,000/- and the second respondent herein and one Alla Bakash re-paid the balance amount of Rs.3,75,000/- and in turn they received post dated cheques and the original lease deeds from the petitioner. Thereafter, on 16.06.2009 the petitioner settled the entire due amount to the second respondent and also took possession of the subject property. However, the second respondent and the said Alla Bakash failed to return the lease deed. The grievance of the petitioner is that inspite of several request made by the petitioner, the second



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respondent herein and one Alla Bakash have not returned the lease deed.

When this being the case, the first and second respondents trespassed into the subject property whereas the fact remains that the first and second respondents have no right or title over the subject property. Aggrieved over the illegal act of the first and second respondents the petitioner has filed O.S.No.13 of 2018 before the District Munsif Court, Hosur and the same is pending till date. Hence the petitioner has come up with this petition seeking a direction to the Court below to dispose of the above O.S as early as possible.

3. The learned counsel for the petitioner submitted that due to the pendency of the above O.S the petitioners are not able to take possession over the subject property and they are put to a great loss. Hence prays to allow this petition.

4. In view of the above, the learned Judge of District Munsif Court, Hosur is directed to dispose of the O.S.No.13 of 2018 within a period of one year from the date of receipt of a copy of this order.



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5. With the above directions, this Civil Revision Petition is disposed of. No order as to costs.

17.07.2023

smn

Index : Yes/No

Internet: Yes/No

To.

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V.BHAVANI SUBBAROYAN,J.
Smn

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