



WEB COPY



CRP No.2743 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.2743 of 2012
and M.P.No.1 of 2006

K.Jany Basha (Died)
2.Noor Muhammed
3.J.Noorjahan
4.K.Kadar Basha

... Petitioners

Vs.

Tamil Nadu Wakf Board,
Rep by its Secretary,
No.3, Santhome High Road,
Mylapore, Madras – 4.

... Respondent

(Petitioners 2 to 4 brought on record as LR's of the deceased sole petitioner viz. K.Jany Basha vide court order dated 12.04.2022 made in CMP Nos.4238, 4240 & 4242 of 2022 in CRP No.2743 of 2012)

Civil Revision Petition filed under Article 227 of the Constitution of India, against the judgment and decree dated 28.03.2006 made in O.S.No.185/1999 on the file of the Subordinate Court, Vellore.

For Petitioner : Mr.K.V.Ananthakrushnan

For Respondent : Mr.Avinash Wadhwani



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ORDER

This Civil Revision Petition has been filed against the judgment and decree dated 28.03.2006 made in O.S.No.185/1999 on the file of the Subordinate Court, Vellore.

2. Pursuant to the order of this Court, the Advocate Commissioner Mr.T.S.Baskaran, has inspected the property and filed a report. The report stated that the property which is under occupation of the revision petitioner is belonging to the respondent Wakf Board.

3. After perusing the report of the Advocate Commissioner, Mr.K.V.Ananthakrishnan, learned counsel for the revision petitioners, sought one year time to vacate and hand over possession. The request is strongly objected to by Mr.Avinash Wadhwani, learned counsel for the respondent / Wakf Board on the ground that from 1980, the petitioner has been enjoying the property of the respondent Wakf, without paying any rent. The second petitioner has also filed an affidavit of undertaking dated 25.11.2025 stating that he would vacate by the first week of October 2026. However, considering that the petitioner has been in enjoyment of the property of Wakf for last several decades without any payment, I



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am not inclined to grant time as prayed for by the petitioners. The petitioners shall vacate and hand over vacant possession by 30.06.2026, without seeking any further extension of time. They shall also peacefully hand over vacant possession to the respondent. They shall not induct any third party into possession.

4. With the above directions, this Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

01.12.2025

mtl

To

1. The Subordinate Court, Vellore.
2. The VR Section, High Court, Madras.



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P.B.BALAJI, J.

mtl

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