



O.A. Nos. 445 to 447 of 2025 in C.S. No. 1306 of 1992

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

O.A. Nos. 445 to 447 of 2025

in

C.S. No. 1306 of 1992

O.A. No. 445 of 2025:-

Khan Sahib Mahdi Hussain Sahib Wakf Estate
represented by its Advocate Receiver
Mr.V.Pauldas
S/o.Mr.A.Velayudham
No.82/106, Perambur High Road Lane
Jamalia, Chennai-600012.

...Applicant

Vs.

1.Mr.E.Feroz

Mrs.Shanoo Khaleel (deceased)
Mr.A.Mohammed Ali (deceased)
Mr.A.Asgar Ali (deceased)
Mrs.Hasina Begum (deceased)

2.Mr.Zahir Hussain (a) Niaz
3.Mrs.Farida Begum
4.Mr.Asif Hussain
5.Mrs.Naseera Begum

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6.Mr.M.A.Subban
7.Mrs.Mumtaz Begum

Mr.M.A.Sattar (deceased)

8.Mr.Modi Habibullah
9.Mrs.Shameem Mecci
10.Mr.Yusuf Hussain
11.Mr.A.A.Khaleel

Mr.Modi Azeem (deceased)

12.Mrs.Reshma
13.Ms.Kiran
14.Ms.A.Shahin Alam
15.Mr.Abbas Hussain
16.Mr.Mohammed Hussain

Mr.Khalid Mohammed Modi (deceased)

17.Dr.Nahid Khaleel
18.Mrs.Salma Khaleel
19.Mrs.Sarwari Begum
20.Mrs.Nawreen Fathima
21.Mr.Arshed Ali
22.Mrs.Shameem
23.Mrs.Parveen
24.Mrs.Vageetha
25.Mrs.Shanu
26.Mr.Imran Ali
27.Mrs.Shima Fathima
28.Mrs.Afroz Jahan
29.Mr.Mansoor Modi
30.Mrs.Shabna Riaz
31.Mr.Tabrez Modi

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32. Mrs. Jabeen Modi Mirza

33. Mr. Modi Saud

34. Mrs. Sabia Ishrath

35. Mrs. Sabira Begum

36. Mrs. Barkath Jahar

37. Mr. Aleem Ahmed

38. Mrs. Nishat Modi

39. Mrs. Irfanah Modi

40. Mrs. Mominah Modi

41. Mr. Mohammed Musheer Modi

... Respondents

Prayer : This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order XXXIX Rule 1 & 2 of Code of Civil Procedure, praying to grant interim injunction restraining the first respondent / plaintiff or his family members from proceeding with the new construction in the A schedule mentioned property without obtaining building sanction plan and permission from this Court.

For applicant : Mr. M. L. Ganesh

For Respondents : Mr. M. Sriram (D5)
M/s. R. Jayaprakash (R14)
Mr. Munirudeen Sheriff (RR17 & 18, 19 to 21)
Mr. V. Ramesh (RR9 to 11)
Mr. S. A. Hafiz (RR2, 5 to 7)

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3.Mrs.Farida Begum
4.Mr.Asif Hussain
5.Mrs.Naseera Begum
6.Mr.M.A.Subban
7.Mrs.Mumtaz Begum

Mr.M.A.Sattar (deceased)

8.Mr.Modi Habibullah
9.Mrs.Shameem Mecci
10.Mr.Yusuf Hussain
11.Mr.A.A.Khaleel

Mr.Modi Azeem (deceased)

12.Mrs.Reshma
13.Ms.Kiran
14.Ms.A.Shahin Alam
15.Mr.Abbas Hussain
16.Mr.Mohammed Hussain

Mr.Khalid Mohammed Modi (deceased)

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- 17.Dr.Nahid Khaleel
- 18.Mrs.Salma Khaleel
- 19.Mrs.Sarwari Begum
- 20.Mrs.Nawreen Fathima
- 21.Mr.Arshed Ali
- 22.Mrs.Shameem
- 23.Mrs.Parveen
- 24.Mrs.Vageetha
- 25.Mrs.Shanu
- 26.Mr.Imran Ali
- 27.Mrs.Shima Fathima
- 28.Mrs.Afroz Jahan
- 29.Mr.Mansoor Modi
- 30.Mrs.Shabna Riaz
- 31.Mr.Tabrez Modi
- 32.Mrs.Jabeen Modi Mirza
- 33.Mr.Modi Saud
- 34.Mrs.Sabia Ishrath
- 35.Mrs.Sabira Begum
- 36.Mrs.Barkath Jahar
- 37.Mr.Aleem Ahmed
- 38.Mrs.Nishat Modi
- 39.Mrs.Irfanah Modi
- 40.Mrs.Mominah Modi
- 41.Mr.Mohammed Musheer Modi

... Respondents

Prayer : This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order XXXIX Rule 1 & 2 of Code of Civil Procedure, praying to grant interim injunction restraining the first respondent / plaintiff or his family members from trespassing into the evicted portion of the Reliance Printers in the A schedule mentioned property.



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For applicant : Mr.M.L.Ganesh

For Respondents : Mr.M.Sriram (D5)
M/s.R.Jayaprakash (R14)
Mr.Munirudeen Sheriff (RR17 & 18,19 to 21)
Mr.V.Ramesh (RR9 to 11)
Mr.S.A.Hafiz (RR2, 5 to 7)

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- 37.Mr.Aleem Ahmed
38.Mrs.Nishat Modi
39.Mrs.Irfanah Modi
40.Mrs.Mominah Modi
41.Mr.Mohammed Musheer Modi ... Respondents

Prayer : This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order XXXIX Rule 1 & 2 of Code of Civil Procedure, praying to grant interim injunction restraining the first respondent / plaintiff or his family members from from disturbing the peaceful possession and enjoyment of the tenants/ other beneficiaries of the A schedule mentioned property by filing frivolous cases before the statutory authorities by themselves.

For applicant : Mr.M.L.Ganesh

For Respondents : Mr.M.Sriram (D5)
M/s.R.Jayaprakash (R14)
Mr.Munirudeen Sheriff (RR17 & 18,19 to 21)
Mr.V.Ramesh (RR9 to 11)
Mr.S.A.Hafiz (RR2, 5 to 7)

COMMON ORDER

These applications are said to be the interim applications filed by the Receiver against the plaintiff not to renovate the A schedule mentioned property.



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2. The Receiver ought to have represented the Court, but his inability to perform the functions of Receiver in view of the plaintiff's non-cooperation if any, he cannot act like a party by filing an application seeking interim injunction.

3. Let the parties take steps, if at all they are aggrieved, and if the plaintiff actions are detrimental to the interest of the defendants and file any counter suit, if needed.

4. In view of the same, **these applications are closed.** No costs.

03.11.2025

Maya



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Dr. R.N.MANJULA, J.

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