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C.R.P.(PD)NO.260 OF 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25/10/2025

CORAM

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

C.R.P.(PD)NO.260 OF 2022

The Secretary,
Managing Committee Barafath Charities,
No.17/18, Adipattan Street,
Mount Road, Chennai-2.

... Petitioner/2nd Respondent/
Petitioner

Vs.

1.K.Naveedur Rahman,
S/o.J.Kalimur Rahman,
Old No.14, New No.19/37,
Bangaru Naicken Street,
Ellis Road, Mount Road,
Chennai – 2.

... 1st Respondent /Appellant/
Respondent

2.The Estate Officer,
Waqf House, No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 1.

... 2nd Respondent /1st Respondent/
Presiding Officer

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to set aside the Judgment and Decree dated March 25, 2021 made in C.M.A.No.16 of 2020 on the file of the

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Principal Judge, City Civil Court, Chennai allowing the appeal and setting aside the order dated June 08, 2020 and made in Case No.PP.No.38/CHE/2016 on the file of the Estate Officer under the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975.

For Petitioner	:	Mr.I.Kowser Nissar
For Respondent-1	:	Mr.A.Segu Kaizer
For Respondent-2	:	No appearance

ORDER

The first respondent herein is the appellant in C.M.A.No.16 of 2020. The said Civil Miscellaneous Appeal was allowed on March 25, 2021.

2. Feeling aggrieved by the order, the second respondent therein namely the Secretary, Managing Committee Barafath Chartities, have preferred this Civil Revision Petition.

3. To be noted, during the pendency of this Civil Revision Petition, the Hon'ble First Bench of this Court passed an order in a batch of writ petitions and writ appeals, in which the operative portion of the order reads as follows:



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13.2. W.A.Nos.2865, 2070, 2074, 2076, 2078, 2109, 2195, 2289 and 2290 of 2023; 820 and 944 of 2024 are allowed on the following terms:

(i) In view of our decision holding the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Amendment Act 33 of 2010 as repugnant, void and ultra vires the Constitution, the proceedings initiated against the appellants by issuance of show cause notices in exercise of the power of such enactment are unsustainable and, as such, the common order of the learned Single Judge dated 3.7.2023 in W.P.Nos.17331, 13507, 13510, 13514, 14424, 14426, 14428, 14432, 16963, 17164, 17399, 17371, 18475 and 18479 of 2023 is set aside.

4.In view of the above decision, this Civil Revision Petition stands closed. Considering the facts and circumstances of the case, there shall be no order as to costs.

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Index : Yes /No
Speaking Order : Yes /No
Neutral Citation : Yes /No
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R. SAKTHIVEL, J.

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To

- 1.The Principal Judge,
City Civil Court,
Chennai.
- 2.The Estate Officer,
Waqf House, No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 1.

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