



WEB COPY

CRP No. 2885 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 2885 of 2022

1. Ziaullah Thiruvallur Azeem
Son of T.Abdul Azeem, No,272/B,
Bajanai Koil Street,
Palavansathukuppam, Vellore -2.
Presently residing at Plot No.3, Dharma
Nagar, Sathmadurai, Vellore -11.

Petitioner

Vs

1. J.Siranjeevi
Son of Late T.Jayaseelan, No.29,
Chidambaranar Nagar,
Virupatichipuram, Vellore - 2.

Respondent

PRAYER

This civil revision petition is filed under Article 227 of the Constitution of India praying to set aside the Fair and Decreetal order passed in IA No.88/2020 in IA No.245/2016 in OS No.12/2016 dt. 13.07.2022 on the file of the Additional District Munsif Court at Vellore by allowing the present CRP.

For Petitioner: Mr.R.Jayaprakash

For Respondent: No appearance



ORDER

WEB COPY

The petitioner is the tenant who has taken out an application in I.A. No. 245/2016 under Section 9 of the Tamil Nadu City Tenants Protection Act to purchase the land which belongs to the respondent/plaintiff.

2.The said application was being enquired into, and at the stage of cross-examination, it appears that due to the non-appearance of the petitioner, the application came to be dismissed. In order to set aside the said order of dismissal, IA No. 88/2020 was filed. However, the said application was also dismissed, against which the present revision has been filed.

3.Heard the submission made by the learned counsel for the petitioner. Despite service of notice and sufficient opportunity being given to the respondents, there is no representation on behalf of the respondents.

4.The suit is one for recovery of possession, and admittedly the petitioner has exercised his statutory right to purchase the property under Section 9 of the Tamil Nadu City Tenants Protection Act. The said application will have to be necessarily decided on merits, and especially considering that the application to



WEB COPY

set aside the dismissal order was filed in time, I am inclined to set aside the order of the trial court in order to give an opportunity to the petitioner to prosecute his application for purchasing land from the respondent/plaintiff.

5.In view of the above discussion, this civil revision petition is allowed. The order in [I.A.NO. 88 of 2020](#) in [I.A.NO.245/2016](#) in [OS.NO.12/2016](#) dated 13.07.2022 is consequently set aside, and the trial Court is directed to dispose of the interlocutory application in [I.A.No.88 of 2020](#) within a period of eight weeks from the date of receipt of a copy of this order on merits in accordance with the law. No costs.

24-07-2025

jrs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Judge, Additional District Munsif Court at Vellore.



WEB COPY

CRP No. 2885 of 2022





WEB COPY

CRP No. 2885 of 2022



P.B.BALAJI J.

CRP No. 2885 of 2022

24-07-2025