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CRP(NPD) No.4022 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 25.06.2025

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.R.P (NPD) No.4022 of 2018 and CMP No.22257 of 2018

Chandramohan @ Suresh

... Petitioner

..Vs.

1.Syed Nymuddin

2.M.R.Subramani

3.The Executive Officer
Tamil Nadu Wakf Board
No.12/61, Gandhi Road
Vellore.

4.The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Zafer Sharan Street
Vallal Seethakadhi Nagar
Chennai-600 001.

... Respondents

Prayer: This Civil Revision Petition is filed under Section 227 of Constitution of India, to set aside fair and decreetal order passed in



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E.A.No.182 of 2011 in E.P No.31 of 2018 in O.S No.200 of 2007 dated 06.08.2018 on the file of the Principal Subordinate judge Court, Vellore, Vellore District.

For Petitioner : Mr.K.M.Mohanamurali
For R1 : Mr.M.Marudhachalam
For R3 & R4 : Mrs.V.Srimathi

R2 died.

ORDER

The very challenge in the revision is as against the order passed in E.A.No.182 of 2011 in E.P No.31 of 2018 by Principal Subordinate judge Vellore.

2. The suit has been filed by the 1st respondent Muthavalli for eviction of the petitioner on the ground of willful default.

3. It is the contention of the petitioner that he is a tenant in the premises and the property belonged to the 1st respondent mosque. According to the revision petitioner, only the Wakf Board is the owner of the property. There is a dispute between the petitioner and the Wakf Board. Therefore,



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an application has been filed by the petitioner for appointment of advocate commissioner to note down the physical features of the suit property and the trial Court has rightly dismissed the said application. This Court unable to comprehend as to why such an application is required, when the petitioner's status is not even disputed by himself. When he was inducted as a tenant to the premises, the question of inspection of property by the Commissioner does not arise at all. Filing this type of application, this Court is of the view that it is only a clear abuse of process of court. In such view of the matter, I do not find any merit in this revision petition.

5. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, , connected miscellaneous petition is closed.

25.06.2025

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Index : Yes / No
Internet: Yes
Speaking/non speaking order



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N.SATHISH KUMAR,J
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To

The Principal Subordinate judge Court,
Vellore, Vellore District

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&CMP No.22257 of 2018

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