

**IN THE COURT OF THE PRINCIPAL SUBORDINATE JUDGE,
THANJAVUR.**

Present : ***Tmt.R.Malathi, M.L.,***
Principal Subordinate Judge, Thanjavur.

Thursday the 25th day of October 2018.
(Thiruvalluvar Andu 2049 Ippasi Matham 8th day)

RENT CONTROL APPEAL NO :1/2018

M.Abubucker, son of M.Mohamed Unni, Muslim, aged 68 years and residing at No.74/80, Abraham Pandithar Road, Thanjavur Town and Munsifi.

... Appellant/petitioner

Vs

Hazarath Syed Sha Mian Sakkaf Saheb Kathiri Thaikkal wakf Alal Avulath Private Hereditary Trust, rep. by its Senior Trustee Syed Moin Ahamed Sakkaf, Muslim, aged about 51 years and residing at No.657, Thaikkal Lane, Kondirajapalayam, East Main Street, Thanjavur Town and Munsifi.

... Respondent/Respondent

On Appeal from the Order dated 16.12.2017 passed by the Rent controller, Thanjavur cum District Munsif, Thanjavur in IA.No.19/2017 in RCOP.No.21/2015.

BETWEEN:

M.Abubucker ... Petitioner/Respondent

Vs

Hazarath Syed Sha Mian Sakkaf Saheb
Kathiri Thaikkal wakf Alal Avulath Private
Hereditary Trust, rep. by its
Senior Trustee Syed Moin Ahamed Sakkaf

... Respondent/petitioner

This respondent has filed a R.C.O.P. 21/2015 on the file of the Rent controller cum District Munsif, Thanjavur. This petitioner has filed an application I.A.19/2017 questioning the maintainability of the application. The said application has been dismissed by the tribunal and therefore this appeal has been filed before this court.

Appeal presented on : 03.02.2018 and taken on file : 03.02.2018

Court fee of Rs.25/- paid Under Sec.23(1)(d) & 29 of Tamil Nadu Building and Lease and Rent Control Act 18/1960.

This Rent Control Appeal is coming before this court for final hearing on 08.10.2018 before this court upon perusing Appeal Memo, Decree and Judgment of the Lower court and material papers in the case and upon hearing the arguments of Thiru.P.Lenin, Advocate for the Appellant and Thiru.S.Jayachandran, Advocate for the Respondent and having stood over for consideration till this day, this court doth order and passed the following,

DECREE

- 01) That the appeal be and the same is hereby dismissed;
- 02) That the fair and decretal order of the Rent controller in I.A.No.19/2017 in RCOP.21/2015 DT:16.12.2017 is hereby confirmed;
- 03) That there is no cost. (Appellant's cost of Rs.1043.50/- taxed and Respondent's cost of Rs.Nil taxed (Cost list not filed)

Details of Cost list

Particulars	Appellant's side: Rs.	Respondent's side: Rs.
C.F. On appeal memo	25.00	
C.F. On vakalath	5.00	
C.F. On batta memo	13.50	
Preparation	500.00	
Stamp on documents	-	

Advocate Fees	1000.00	
Total	1043.50	Cost list not filed.

Given under my hand and the seal of this court, this 25th day of October 2018.

Sd/-....R.Malathi,

Principal Subordinate Judge,
Thanjavur.

Copy to:

The District Munsif/Rent Controller,
Thanjavur.

