

OA NO. 892 c



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2025

CORAM

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

OA No. 892 of 2024

IN

CS No. 84 of 2022

K.M.Syed Khalifa

S/o K.S.M.Mohammed Mohideen No.22/28, Prakasam Salai, C-3,
A.R.Tower, Broadway, Chennai - 600 001.

Applicant(s)

Vs

Shameem Banu

W/o Late K.S.M Mustafa No.58, Kanthappan Chetty Street,
Mannadi, Chennai - 600 001. and 7 Others

Respondent(s)

For Applicant(s):

M/s.D.Abdullah

M.Sethuraman

For Respondent(s):

Mr.Ravichandran Sundaresan

For D2

M/s.K.P.Ashok

For D3, D5 To D8

M/s. A.L.Ramamoorthy

For D-1

M/s.R.Muthukumar

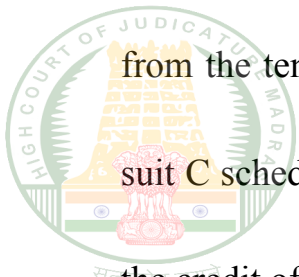
For D4

M/s.Ronan Sathyan

Advocate Receiver

ORDER

The present application has been filed seeking for appointment of a receiver to collect rents



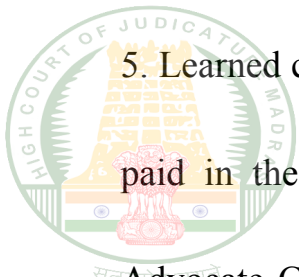
from the tenants in occupation of Item 1 of suit B scheduled properties, Item I the
suit C schedule property and item II of the suit D scheduled property and deposit the same to
the credit of this suit in C.S.No.84 of 2022.

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2. It is the contention of the applicants that the first defendant alone is appropriating the rents received from the scheduled mentioned properties thereby defending the interest of the plaintiffs and the defendants.

3. On the contrary, the first defendant had contended that the rents are being received from the tenants by the respective parties who had again leased the same. Hence, this Court by its order dated 23.06.2025 had appointed an Advocate Commissioner to verify the facts and file a Report.

4. The learned Advocate Commissioner had filed a Report indicating the tenants and the party who receives the rents. A perusal of the same would show that the apprehensions expressed by the applicants have been substantiated. In the interest of the parties, this Court is of the view that it would only be appropriate to appoint an Advocate Receiver who shall collect the rents from the respective parties as indicated in the Advocate Commissioner's Report. The learned Advocate Commissioner would submit that he is yet to receive the remuneration fixed by this Court.



5. Learned counsel appearing for the applicants would submit that the remuneration paid in the due course of the week, the said statement is recorded. Since, the learned

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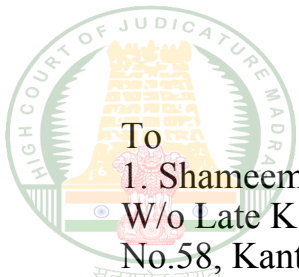
Advocate Commissioner has executed his warrant in full, the warrant issued by this Court shall stand discharged.

6. In such view of the matter, this Court appoints **Mr.V.S.Mannarsamy**, Advocate (**Phone No.9841531002**) having Office at **No.392, New Addl. Law Chambers, IIIrd Floor, Madras High Court Campus, Chennai – 600 104**, as Advocate Receiver. The learned Advocate Receiver shall receive the rents from the tenants in occupation of the properties and is also authorised to pay the statutory dues to the property. The monthly remuneration for learned Advocate Receiver is fixed as Rs.25,000/- per month and shall also be entitled to reimburse the expenses incurred from the rents collected from the property. The learned Advocate Receiver shall file the accounts quarterly before this Court. If there is insufficient funds for payment of statutory dues, the same can be made good by the applicants and they would be entitled for reimbursement from the other parties subject to the result of the suit.

With the aforesaid directions, the present application is disposed of.

22-07-2025

Gba



To

1. Shameem Banu
W/o Late K.S.M Mustafa
No.58, Kanthappan Chetty Street,
Mannadi, Chennai - 600 001.

2. Syed Hussian Khalifa
S/o Late K.S.M.Mohamed Mohideen
No.329, Thambu Chetty Street,
Chennai - 600 001.

3. N.H.M.Mehar Banu
W/o Abdul Kareem,
No.14/58, Kandappan Chetty Street, Fourth Floor,
Chennai - 600 001.

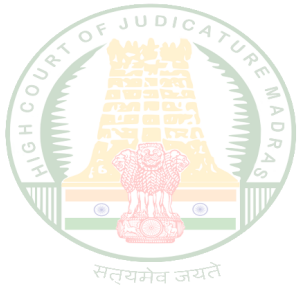
4. N.H.M.Sabiya
W/o Abdul Jabbar,
New No.23/3, Old No.11/3, Palayappan Street, 2nd Floor,
Chennai 01.

5. N.H.M.Nabisal,
W/o K.M.Abdul Jabbar,
No.41-c, Sooravali Street,
Ilayangudi - 630 702.
Suvaganga District.

6. Shamsu Nisha,
S/o Late Jawahar Ali,
No.13, V.M.Hussain Street,
Ilayangudi - 630 702.
Sivaganga District.

7. Mrs.Thanseela
D/o Jawahat Ali,
No.9/22, Veerangavedu-murugesu Mudali Street,
Plot No.3, Seven Wells,
Chennai 600 001.

8. Mrs.Dilsath D/o Jawhar Ali,
C/o Thanseela,
No.9/22, Veerangavedu - Murgesa Mudali Street,
Plot No.3, Seven Wells,
Chennai - 600 001.



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