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C.R.P. No. 3270 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2026

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.R.P. No. 3270 of 2025

&

C.M.P. No. 18088 of 2025

Archunan

..Petitioner

Vs.

Raman

..Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 24.06.2025 passed in I.A. No. 10 of 2025 in A.S. No. 9 of 2023 by the Subordinate Court, Nagapattinam.

For Petitioner :: Mr.M. Nandhakumar for
Mr.Eswar, Kumar and Rao

For Respondent :: Mr.R. Sathiamoorthy



C.R.P. No. 3270 of 2025

WEB COPY

ORDER

This civil revision petition has been filed challenging the order dated 24.06.2025 passed in I.A. NO. 10 of 2025 in A.S. No. 9 of 2023 by the Subordinate Court, Nagapattinam.

2. The petitioner is the appellant in A.S. No. 9 of 2023 pending on the file of Sub-Court, Nagapattinam. In the suit in O.S. NO. 245 of 2015, the petitioner is the defendant. The said suit was filed by the respondent/plaintiff seeking for a permanent injunction against the petitioner/defendant. The Trial Court decreed the suit as prayed for by the respondent/plaintiff. Aggrieved by the same, the petitioner/defendant preferred A.S. No. 9 of 2023 before the Sub-Court, Nagapattinam. The petitioner also filed I.A. No. 10 of 2025 in A.S. NO. 9 of 2023 seeking stay of judgment and decree passed by the Trial Court in O.S. No. 245 of 2015 and by the impugned order dated 24.06.2025, the said application filed by the petitioner/appellant was dismissed. Aggrieved by the same, the present civil revision petition has been filed.



C.R.P. No. 3270 of 2025

3. The petitioner is having the benefit of interim stay in this civil revision petition from the year 2025 onwards. In view of the interim stay, the Appeal Suit in A.S. No. 9 of 2023 is still pending. When this Court suggested to both the counsel as to whether a direction can be issued to the Sub-Court, Nagapattinam to dispose of A.S. No. 9 of 2023 within a period of 3 months from the date of receipt of a copy of this order and till such time, whether the execution petition filed by the respondent/plaintiff seeking execution of the decree passed in favour of respondent/plaintiff against the petitioner/appellant can be kept in abeyance, both the counsel agreed to the suggestion made by this Court.

4. Therefore, in the interest of justice and after considering the fact that the petitioner is having the benefit of interim stay from the year 2025 onwards and in view of the consent of both counsels to the aforesaid suggestion of this Court, ***this civil revision petition is disposed of by issuing the following directions:***

- (1) The interim stay granted by this Court in this civil revision petition stands vacated;



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C.R.P. No. 3270 of 2025

(2) The Lower Appellate Court, namely, Sub-Court,

ABDUL QUDDHOSE,J.

nv

Nagapattinam is directed to dispose of A.S. No. 9 of 2023 within a period of 3 months from the date of receipt of a copy of this order;

(3) The proceedings in the execution petition filed by the respondent/plaintiff in E.P. No. 1 of 2025 shall be kept in abeyance by the Executing Court, namely, the District Munsif Court, Nagapattinam and the Executing Court shall await the outcome of A.S. No. 9 of 2023.

No costs. Connected C.M.P. is closed.

08.07.2026

nv

To

1. The Sub Court, Nagapattinam.
2. The District Munsif Court, Nagapattinam.

C.R.P. No. 3270 of 2025

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C.R.P. No. 3270 of 2025