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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2026**

CORAM

THE HONOURABLE MR JUSTICE S. SOUNTHAR

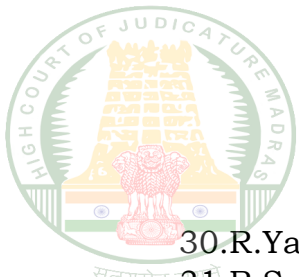
C.R.P(MD).No.2017 of 2026

M.Manoj

Vs

... Petitioner

- 1.G.Vairavan
- 2.M.K.Y.Mohammed Kasim
- 3.M.Abdul Malik
- 4.M.Sam Sudeen
- 5.M.Jalajudeen
- 6.M.Jalil Ahmed
- 7.K.Rabiyathulpasariya
- 8.M.Ameerusunsha
- 9.M.Nazeerunnisha
- 10.M.Jailani
- 11.M.Nigaaraulthana
- 12.M.Syed Ahamed
- 13.A.Jagitha Beevi
- 14.H.Rabiya Beevi
- 15.M.Neejar Ahamed
- 16.M.Amirudeen
- 17.Najama
- 18.S.Thaji Nisha
- 19.K.Hameesha
- 20.M.Thageera
- 21.M.Sabeesha
- 22.M.Jahangeer
- 23.B.Poujiya Begam
- 24.B.Asif
- 25.B.Arif
- 26.B.Habesh
- 27.M.Serajudeen
- 28.M.Syed Ibrahim
- 29.R.Fathima Beevi



30.R.Yashmin

31.R.Sabana Ashmi

32.M.Aysha Beevi

33.M.Fathima Beevi

34.M.Syed Ibrahim

35.M.Raigana Begam

36.M.Jiyavudeen

37.H.Hametha Begam

(2 to 37 not contesting parties)

... Respondents

Prayer: Petition is filed under Article 227 of the Constitution of India, to set aside the docket order dated 19.06.2026 in unnumbered E.A.No. /2026 in E.P.No.73 of 2016 in O.S.No.235 of 1985 on the file of the Principal Subordinate Judge, Dindigul and number the same.

For Petitioner : Mr.K.R.Kishore Ram
for M/s.R.B.Law Associates

ORDER

This civil revision petition is filed challenging the order passed by the Executing Court returning the application filed by the petitioner seeking adjudication of his rights.

2.It is seen from the typed set of papers that the first respondent herein/ 21st defendant in the main suit filed E.P.No.73 of 2016 seeking delivery of the property allotted to him in the final decree.

3.The petitioner herein filed instant application seeking adjudication of his rights. The said application was returned by the Executing Court on the ground that the property was delivered on 08.06.2024 and hence, the



petitioner could not maintain the petition before the Court. Aggrieved by the same, the petitioner has come before this Court.

4.The learned counsel appearing for the petitioner would submit that even if the property is delivered and the petitioner is dispossessed, he can very well maintain an application under Order 21 Rule 99 of the Code of Civil Procedure.

5.If the petition filed by the petitioner is returned by raising maintainability issue, it is always open to the petitioner to offer his explanation and re-present the papers. Instead of following the said course, the petitioner rushed this Court by invoking supervisory jurisdiction. A revision filed by the petitioner cannot be entertained at this stage. The proper course to the petitioner is to re-present the papers by offering his explanation.

6.Therefore, the petitioner is directed to re-present the returned execution application within two weeks from the date of receipt of a copy of this order by offering his explanation. The Executing Court shall consider the same and if satisfied, proceed to number the application and dispose it of on its own merits. On the other hand, if the Executing Court is not satisfied with the explanation offered by the petitioner, the matter



S. SOUNTHAR.J.

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shall be called in open Court and after hearing the petitioner, order shall be passed on merits.

7. With the above directions, this Civil Revision Petition is dismissed.

No costs. Consequently, connected Miscellaneous Petition is closed.

24.07.2026

NCC : Yes/No

Index : Yes/No

Rmk

Note : *Registry is directed to return the original papers to the learned counsel for the petitioner, after obtaining usual endorsement.*

To

1. The Principal Subordinate Judge, Dindigul.

2. The Section Officer,

VR Section, Madurai Bench of Madras High Court, Madurai.

C.R.P(MD).No.2017 of 2026