



A.S(MD)Nos.85 & 86 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2026

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE P.VADAMALAI

A.S(MD)Nos.85 & 86 of 2026

and

C.M.P(MD)No.2298 of 2026

A.S(MD)No.85 of 2026:

J.Antony Jeyakumar

... Appellant /
Defendant

Vs.

Pandeeswari,
W/o.Late.Venkatasubramanian,
Plot Nos.F-2 & F-3,
Azeer Arc Apartment,
65th Street, Rahmath Nagar East,
Palayamkottai,
Tirunelveli – 11.

... Respondent/
Plaintiff

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent Act to set aside the judgment and decree passed in O.S.No.37 of 2022 dated 28.08.2025, on the file of the I Additional District Judge, Tirunelveli by allowing this appeal and decree the suit.

For Appellant : Mr.B.Azhagesh

For Respondent : Mr.R.J.Karthick



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A.S(MD)No.86 of 2026:

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J.Antony Jeyakumar

... Appellant /
Plaintiff

Vs.

Pandeeswari,
W/o.Late.Venkatasubramanian,
Plot Nos.F-2 & F-3,
Azeer Arc Apartment,
65th Street, Rahmath Nagar East,
Palayamkottai,
Tirunelveli – 11.

... Respondent/
Defendant

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent Act to set aside the judgment and decree passed in O.S.No.412 of 2022 dated 28.08.2025, on the file of the I Additional District Judge, Tirunelveli by allowing this appeal and decree the suit.

For Appellant : Mr.B.Azhagesh

For Respondent : Mr.R.J.Karthick

COMMON JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

The respondent herein filed O.S.No.37 of 2022 on the file of I Additional District Judge, Tirunelveli, seeking the relief of recovery of possession. The suit was decreed on 28.08.2025. Aggrieved by the same, the defendant has filed this appeal.



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WEB COPY 2. When the interim application was taken up for hearing, the learned counsel for the plaintiff / respondent submitted that the plaintiff is a widow and that she is now residing in a rented house. The learned counsel further contended that it is a fit case to be taken up for hearing under Order 41 Rule 11 of CPC. We, therefore, indicated to the learned counsel for the appellant that the appeal will be taken up for final hearing.

3. Today, when the matter was taken up, the learned counsel for the appellant submitted that the appellant has got back the case papers. We are clearly of the view that the appellant is trying to play with this Court. Such tactics will not be encouraged. They cannot be countenanced and must be deprecated.

4. The plaintiff had filed E.P.No.192 of 2025 on the file of I Additional District Judge, Tirunelveli for enforcement of the decree obtained by her. Since this Court had granted an interim order in favour of the appellant, the Execution Petition is said to have been closed. The Court below is directed to *suo motu* reopen the execution proceedings.



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The execution proceedings shall be concluded within a period of four weeks from the date of receipt of a copy of this order.

5.These Appeal Suits are dismissed for default. No costs.

Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [P.V.M., J.]
16.07.2026

MGA

To

I Additional District Judge,
Tirunelveli.



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G.R.SWAMINATHAN, J.

AND

P.VADAMALAI, J.

MGA

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