



CRP.Nos.2400, 2403 & 2404 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

**C.R.P.Nos.2400, 2403 & 2404 of 2025**

**and**

**C.M.P.Nos.13841, 13851 & 13853 of 2025**

Sakthivel

.. Petitioner in all CRPs

Versus

K.Raman (Deceased)

Aalis Devamani (Deceased)

1.Balaji

2.Malarvizhi

3.Manjula

Palaniyappan (Deceased)

4.Amaravathi

5.Vellathal

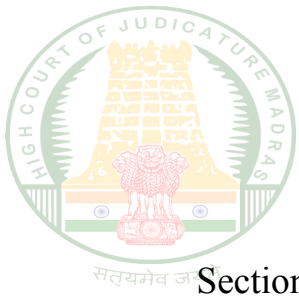
6.Mariyathaal

7.Aariyamala

.. Respondents in all CRPs

Prayer in CRP.No.2400 of 2025:- Civil Revision Petitions filed under Section 115 of Code of Civil Procedure, to set aside the fair order passed in E.A.No.1 of 2024 (Police Protection) in EP.No.19 of 2015 in O.S.No.280 of 2002 dated 05.12.2007 on the file of the District Munsif Court at Dharapuram.

Prayer in CRP.No.2403 of 2025:- Civil Revision Petitions filed under



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Section 115 of Code of Civil Procedure, to set aside the fair order passed in E.A.No.3 of 2024 (Survey the land) in EP.No.19 of 2015 in O.S.No.280 of 2002 dated 05.12.2007 on the file of the District Munsif Court at Dharapuram.

Prayer in CRP.No.2403 of 2025:- Civil Revision Petitions filed under Section 115 of Code of Civil Procedure, to set aside the fair order passed in E.A.No.2 of 2024 (Break Open) in EP.No.19 of 2015 in O.S.No.280 of 2002 dated 05.12.2007 on the file of the District Munsif Court at Dharapuram.

In all CRPs

For Petitioner : Mr.Vengadesh Durai Raja V.K.

**COMMON ORDER**

Challenges have been made to the order passed by the Executing Court allowing the applications permitting the bailiff to take assistance of surveyor for measuring the property and also permitting the bailiff to break open the lock along with police aid, the present revisions have been made.

2. The suit has been filed originally by the plaintiff in O.S.No.280 of 2002 for declaration and recovery of possession on the basis of registered partition deed of the year 1970. According to the plaintiff, the subject property has been allotted to the plaintiff by way of registered partition



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deed. In his absence, defendants have encroached, therefore, the suit. The suit is decreed on 05.12.2007 as against the defendants. The said decree has not been challenged. After the death of the judgment debtor, his legal heirs were brought on record in Execution Petition. In the said Execution Petition, applications have been filed in E.A.Nos.1, 2 & 3 of 2024 and the same were allowed vide impugned orders. Challenging the orders, these revisions have been filed.

3. Heard the learned counsel for the petitioners and perused the materials placed on record.

4. It is the contention of the learned counsel for the petitioner that the judgment debtor's wife has not been made as a party, the fact remains that the revision petitioners are the legal heirs of the judgment debtor. Therefore, when the delivery was resisted, the decree holder is entitled to seek for survey, police aid and break open, hence, it cannot be said that the order of the Trial Court is beyond the jurisdiction.

**N. SATHISH KUMAR, J.**



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5. Such view of the matter, I do not find any merits in these revisions.

Accordingly, these revisions stand dismissed. No costs. Consequently, connected miscellaneous petitions stand closed.

**23.06.2025**

dhk

Internet : Yes

Index : Yes/No

Speaking order / Nonspeaking order

Neutral Citation : Yes/No

To

1. The District Munsif Court at Dharapuram.

2. The Section Officer

VR Section, Madras High Court

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