



C.R.P. No.3773 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 19.08.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

C.R.P. No.3773 of 2025 and

C.M.P.No.20083 of 2025

Kasinathan (Died)

1. Peri Ammal
2. Karunanithi
3. Annadurai
4. Saraswathi
5. Selvam

... Petitioners/Judgment Debtors/Defendants

Vs.

Govindasamy(died)

1. Palanisamy
2. Sellammal
3. Parvathy
4. Rajeswari
5. Lakshmi

... Respondents/Decree Holders/Plaintiff

Prayer: Civil Revision Petition filed under Section 115 of CPC to set aside the



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order passed in E.P.No.29 of 2002 in O.S.No.154 of 1985 dated 01.07.2025
passed by the Principal District Munsif Court, Ariyalur.

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For Petitioners : Mr.S.Kannan

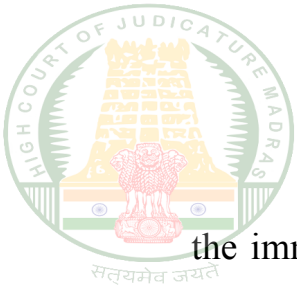
ORDER

This Civil Revision Petition has been filed by the petitioners challenging the order dated 01.07.2025 passed by the learned Principal District Munsif, Ariyalur in E.P.No.29 of 2002 in O.S.No.154 of 1985.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. The ground taken by the petitioners is that in the schedule of property mentioned in Execution Petition, the boundaries have not been mentioned and property has not been properly identified and while taking delivery, the property of the petitioners had also been encroached. The learned District Munsif, while passing the impugned order, had not considered the identification of property which is a discrepancy. Therefore, the impugned order passed by the Execution Court has to be set aside.

4. A reading of the Execution Petition, especially the schedule of property, shows that specific survey number and extent have been mentioned. Order VII Rule 3 of CPC requires the plaint to provide a detailed description of



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the immovable property, including boundaries or survey numbers if available

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to enable clean identification. In this case, the suit is filed for possession and delivery was ordered on the basis of the details made therein and also specifically identified by mentioning the Survey Number and extent of property. This Court does not find any perversity in the order passed by the Execution Court. Therefore, this Civil Revision Petition is dismissed. There shall be no order as to costs. Consequently, the miscellaneous petition is closed.

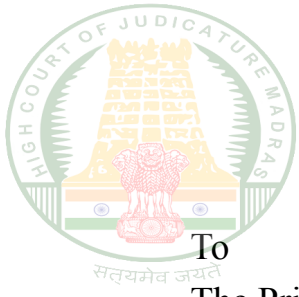
5. The petitioners, if at all are having any right in the suit property which was delivered to the decree holder, they are at liberty to work out their remedy in the manner known to law.

19.08.2025

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To
The Principal District Judge,
Ariyalur.

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P.VELMURUGAN,J.

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