



WEB COPY

CRP No. 3670 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRP No. 3670 of 2024 and
CMP No.19914 of 2024**

1. Kulandaimari

W/o.Late Lourdusamy

Remo (Died)

2. Joseph

S/o.Late Lourdusamy

3. Louis Pasthar Amlorpavama

W/o.Late Remo

4. Celine

D/o.Late Remo

5. Marie Christian

D/o.Late Remo

6. Anthony Das

S/o.Late Remo

Petitioner(s)

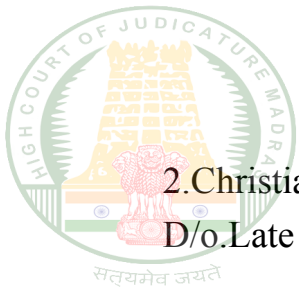
Vs

Marie Raock Emlie Vanagamudiar (died),

Valantine (died)

1.Marie Irudhayanathan

S/o.Late Marie Rock Emile Vangamudiar



2.Christian Marie Josephine

D/o.Late Marie Rock Emile Vangamudiar

3.Zheno

D/o.Late Marie Rock Emile Vangamudiar

Respondent(s)

PRAYER: This Civil Revision Petition has been filed under Section 115 CPC 25 of Tamil Nadu Buildings (Lease and Rent Control Act), 1960 to set aside to set aside the order dated 12-07-2024, passed by the Principal Sub Judge at Puducherry in EP.No.153 of 2004 in O.S.No.431 of 1997 and consequently dismiss the E.P.No.153 of 2004 in OS.No.431 of 1997 as prayed for.

For Petitioner(s): M/s.T. Saikrishnan
R.Saravanan
A.Adhi Chakravarthy
G.Lavanya
C.P.Kavitha Renjini

For Respondent(s): Ms. G. Sumithra For R2
R1 & R3 - Unserved

ORDER

Challenge has been made to the order passed by the Principal Sub Judge, Puducherry in E.P.No.153 of 2004, dated 12.07.2024.

2.Originally, the suit in O.S.No.431 of 1997 has been filed before the Principal Sub Court, Pondicherry, seeking declaration and recovery of possession of 15 x 25 feet with specific boundaries. The suit was decreed in



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favour of the plaintiff on 30.07.1999. Against which, an appeal in A.S.No.22 of 2002 has been filed before the Principal District Court, Puducherry and dismissed on 24.02.2002. Thereafter, Second Appeal in S.A.No.226 of 2007 has also been dismissed on 07.12.2023.

3.To execute the decree and judgment, an execution petition has been filed in E.P.No.153 of 2004 and delivery has been ordered on 12.07.2024. This order is under challenge in the present Civil Revision Petition.

4.Mr.T.Saikrishnan, the learned counsel for the petitioner mainly would submit that although the extent is 15x 25 feet, the boundaries given in the description of the property is not tallying on the ground. The Court Amin and VAO reported that the property could not be identified properly and without accurate description, delivery could not be effected.

5.However, the learned counsel fairly submitted that a subsequent order dated 20.08.2024 has been passed by the Executive Court. This order reiterated



the delivery and directed the Amin to measure the property taking into consideration 15 feet as breadth and 25 feet as length, and three boundaries being identified by him.

6.In such view of the matter, as subsequent order has been passed on 20.08.2024 taking note of the report of the Amin and VAO, namely, surveyor and ordered further delivery, this Court is of the view that earlier delivery order passed by the Trial Court on 12.07.2024 cannot be challenged and hence, nothing survives in this revision.

7.Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed. The parties may work out other possibility for monetary compensation considering the nature of the small extent sought to be delivered.

16-07-2025

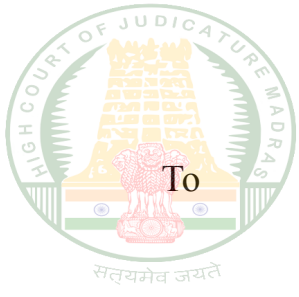
mrp

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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The Principal Sub Judge,

Puducherry.

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WEB COPY

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N.SATHISH KUMAR J.

mrp

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