



CRP No. 4304 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 16-09-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 4304 of 2025

M.Chandrasekaran

Petitioner(s)

Vs

1. D.Mercy Stella
D/o. Durai Raj,
No. 4/63, Jeevanantha Puram,
Annur Road, Mettupalayam, Coimbatore.

2.Mohan Doss,
S/o. Daniel P,
No. 3/318, Thirumurthi Chettiyar Lane,
Wellington Barracks (PO),
Coonoor, The Nilgiris.

3.Buela Esther
W/o. Ramasamy,
Chithambaram Road,
Virudhachalam Taluk, Cuddalore.

4.Salaman Raja
S/o. Daniel P. Muthusamy,
No. 3/317, Thirumurthi Chettiyar Lane,
Wellington Barracks (PO)
Coonoor, The Nilgiris.

Respondents



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PRAYER: Civil Revision Petition filed under Section 115 CPC, to allow this CRP and direct the Subordinates Court, Mettupalayam and to effect the delivery Docket Order Passed in EP No. 26 of 2022 in OS No. 122 of 2017 dated 05.12.2024 expeditiously and thus render justice.

For Petitioner(s): Mr.Charles Kamalesh M. Appaji

ORDER

The petitioner/deGREE holder seeks expeditious disposal of E.P.No.26 of 2022 pending on the file of Subordinate Court, Mettupalayam.

2. The learned counsel for the petitioner takes me through the adjudication reflected in the case status in the Court website concerned. He would state that the suit was filed way back in the year 2017 and the Execution Petition was also initiated in the year 2022. However, citing pendency of E.A.No.12 of 2025, the Executing Court has been adjourning the execution petition without proceeding further, despite delivery batta also been ordered way back in April 2025. The petitioner/deGREE holder seeks expeditious disposal of the execution petition.



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3. At the last hearing, had requested the learned counsel for the petitioner to find out the nature of E.A.No.12 of 2025, which is being reflected in the case status.

4. The learned counsel for the petitioner on instruction would state that the respondent has preferred SLP before the Hon'ble Supreme Court and citing the pendency of SLP, the application has been taken out, therefore, in the pending Execution Petition.

5. The learned counsel for the petitioner would however state that there is no stay granted by the Hon'ble Supreme Court, in pending SLP as well.

6. Considering the limited relief sought for in this revision petition, I am inclined to dispense with the notice to the respondent.

7. The Executing Court is not required to await the final decision in the SLP, since admittedly, no interim order has been granted by the Supreme Court. In fact, the Hon'ble Supreme Court has issued a direction to all the Executing Court across India



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to dispose of Execution Petitions, within a period of six months. Therefore, absolutely, there is no impediment for the Executing Court to proceed with the execution petition in accordance with law. Hence, this Civil Revision Petition is allowed. The Subordinate Court, Mettupalayam, shall dispose of E.P.No.26 of 2022 on merits and in accordance with law.

8. Further, the learned counsel for the petitioner also states that on 29.07.2025, the parties have been referred to Mediation. Considering the above, the Mediation process is directed to be concluded, if pending, within a period of four (4) weeks from the date of receipt of a copy of this order and if the matter is not settled before the Mediation, the Executing Court, shall dispose of E.P.No.26 of 2022 on merits and in accordance with law, within a period of four (4) weeks thereafter. No costs.

16-09-2025

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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P.B.BALAJI J.
jd

To
The Subordinate Court,
Mettupalayam.

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