



CRP No. 4993 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 4993 of 2025 and CMP No.25244 of 2025

1. R. Sathya
W/o. Late Rajendran, No.9, Sirumalar
Street, Pannur Village and Post,
Thiruvallur District.

Petitioner(s)

Vs

1. T. Precilla Mary
W/o. Philip Anthony Raj, No.13G,
T.V.S. Nagar, Padi, Chennai 600050.
Holder.

Respondent(s)

Revision filed under Section 115 of the Civil Procedure Code to set aside the order in E.A.No.3 of 2024 dated 25.08.2025 in E.P.No.450 of 2021 on the file of I Additional District and Sessions Court, Thiruvallur.

For Petitioner(s): M/s. K.M.Balaji



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For Respondent(s): K.Balaji

ORDER

Learned counsel for the respondent has rightly brought to my notice that the order passed by the executing court under Order 21 Rule 106 (I) of Civil Procedure Code is an appealable order under Order 43(1)(j)(a) of Civil Procedure Code.

2. Learned counsel for the revision petitioner would however, while fairly admitting the said position that an appeal remedy is available as against the impugned order, seeks suitable direction to exempt the period that has been lost in agitating the impugned order before this Court by way of the present revision.

3. In the light of the above, the civil revision petition is dismissed. The petitioner is at liberty to challenge the impugned order in E.A.No.3 of 2024 by preferring a regular appeal under Order 43 Rule (1)(j)(a) of Civil Procedure Code within a period of two weeks from the date of receipt of a copy of this



order.

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4. The appellate Court shall entertain the same without putting limitation against the revision petitioner. The proceedings in the Execution Petition shall be deferred for a period of three weeks to enable the petitioner to move an application for stay.

5. If no interim order has been obtained on or before 06.01.2026, the execution petition shall be proceeded in accordance with law.

6. Registry is directed to return the original of E.A.No.3 of 2024.

No costs. Consequently, connected miscellaneous petition is closed.

09-12-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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Note: Issue order copy on 12.12.2025

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The I Additional District and Sessions Court, Thiruvallur.



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P.B.BALAJI J.

SR

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