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C.R.P.No.4399 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

C.R.P.No.4399 of 2025

M.Senthilkumar

...Petitioner

Vs.

1.Umamalini

2.Lakshmi

...Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India, pleased to direct the learned Subordinate Judge, Pollachi to number the Execution Application filed in Unnumbered E.A.SR.No.8649 of 2025 in E.P.No.76 of 2024 in O.S.No.196 of 2022 and dispose the application on merits.

For Petitioner : Mr.R.M.Makesh Kumarvel

ORDER

The petitioner is the auction purchaser. The application has been filed for extension of time to pay 3/4th of the sale consideration has been dismissed even at the numbering stage.



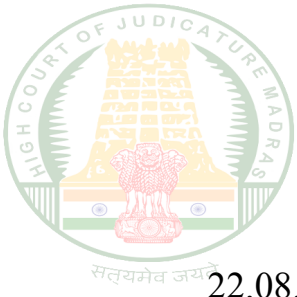
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2. Heard the learned counsel for the petitioner.

3. It is seen from the docket order dated 22.08.2025 which is under challenge that the auction purchaser had paid a sum of Rs.25,00,000/- on 07.08.2025. The balance 3/4th of sale amount was payable within 15 days, which expires on 22.08.2025. On 21.08.2025, the petitioner has filed an application seeking extension of time by 15 days to deposit the balance sale consideration and other miscellaneous charges. Without even taking the application on file, the Executing Court has passed a judicial order on 22.08.2025, returning the application as not maintainable. This Court in *Selvaraj Vs. Koodankulam Nuclear Power Plant India Limited* reported in **2021 3 LW677** has issued detailed directions as to how the application should be dealt with at the registration stage, the Court had entertained any doubts with regard to the maintainability of the application.

4. Though the petition has been returned, I find that Executing Court has further observed that the petition cannot be entertained. In the light of the above, I am inclined to set aside the docket order dated



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22.08.2025. The revision petitioner shall be heard on the maintainability of the application and thereafter the Executing Court shall pass an order, on merits and in accordance with law.

5. Registry shall return the original Execution Application filed and unnumbered Execution Application to the learned counsel for the petitioner to enable the petitioner to move the Executing Court by representing the same as directed herein above.

6. This Civil Revision Petition is allowed. No costs.

12.09.2025

Index : No
Internet : Yes
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To

The learned Subordinate Judge, Pollachi.



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P.B.BALAJI. J,

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