



WEB COPY

CRP No. 5887 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

CRP No. 5887 of 2025

AND

CMP NO. 29081 OF 2025

S.Venkatachalam
S/o. Sengodan, D.No.13/2/55, Settiyan Kadu,
Vediyarasampalayam, Pallipalayam Village,
Thiruchengode Taluk, Namakkal District.

..Petitioner(s)

Vs

PONJAYEE (DIED), T. Balasubramanian
S/o. Thangavelu, D.No.35-B, Vediyarasampalayam
Road, Thundukadu, Pallipalayam Village and Post,
Thiruchengode Taluk, Namakkal District.

..Respondent(s)

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Impugned Fair and Decreetal Order dated 14.10.2025 passed in R.E.A.No.2 of 2025 in R.E.P.No.21 of 2020 in O.S.No.280 of 2010 by the Learned District Munsif Court, Kumarapalayam, Namakkal District and allow the CRP and thus render justice.

For Petitioner(s): Mr.M.Vijaya Ragavan

ORDER

This Civil Revision Petition has been filed seeking a direction to set aside the Impugned Fair and Decreetal Order dated 14.10.2025 passed in R.E.A.No.2



of 2025 in R.E.P.No.21 of 2020 in O.S.No.280 of 2010 by the District Munsif Court, Kumarapalayam, Namakkal District and to allow this petition.

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2. Heard Mr.M.Vijaya Ragavan, learned counsel for the petitioner.

3. The petitioner challenges an order in R.E.A.No.2 of 2025 in R.E.P.No. 21 of 2020 in O.S.No.280 of 2010 dated 14.10.2025 by the District Munsif Court, Kumarapalayam, Namakkal District. The petitioner is the judgment debtor who suffered a decree in O.S.No.280 of 2010 as early as on 06.01.2014. The decree was put to execution by the decree holders and pending the execution petition, the petitioner has also filed his counter. Subsequently, the petitioner thought it necessary to file an additional counter and therefore, the petitioner made out an application for filing additional counter in R.E.A.No.2 of 2025. The said application has been dismissed by the executing Court finding that the petitioner is attempting to protract the proceedings in the execution petition without sufficient cause.

4. I do not find any merit in the revision, warranting interference in the revision as in the order passed, the executing court has taken into consideration the requirement or otherwise of an additional counter while dismissing the R.E.A.No.2 of 2025. However, this order shall not come in the way of the petitioner in exercising his rights under Section 47 of the Code of Civil Procedure.



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5. In view of the above discussions, this Civil Revision petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

21-11-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

mpl

To

The District Munsif Court, Kumarapalayam, Namakkal District.



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P.B.BALAJI J.

mpl

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