



WEB COPY

CRP No. 5915 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. 5915 of 2025

AND

CMP NO. 29216 OF 2025

Sakunthala Ammal
W/o.Late Ganesan, No.50-B2, Chengal Neerodai
Veedhi, Big Kanchipuram

..Petitioner(s)

Vs

1. REVATHY
W/o.Maohar @ Manopaul, no.3, Ekambarapuram
Mada Street, Big kanchipuram
2. SENTHIL
S/o. Ganesan
No.50-B2, Chengal Neerodai Veedhi, Big
Kanchipuram
3. Bhuvaneswari
W/o. Sethu Prabakaran, Kadapperi Village,
Madhuranthagam Taluk
4. Dhanalakshmi
D/o. Ganesan No.50-B2, Chengal Neerodai
Veedhi, Big Kanchipuram
5. Abirami
D/o. Ganesan
No.50-B2, Sengazhuneerodai Street, Big
Kanchipuram



6. Ravi
Dhunia Mechanic Works
Office No.50-B2, Sengazhuneerodai Street, Big
Kanchipuram

7. Kumar
No.50-B2, Sengazhuneerodai Street, Big
Kanchipuram

8. knnan
Working at Cashier Canara Bank
No.50-B2, Sengazhuneerodai Street, Big
Kanchipuram

9. The Secretary
Kancheepuram Co-operative Town Bank Ltd.
Kancheepuram taluk and Dist.

..Respondent(s)

Prayer: Civil Revision petition filed under Section 115 of Code of Civil Procedure seeking a direction to Set aside the order dt. 15.10.2025 passed by the Principal Subordinate Judge, Kanchipuram in E.P.No. 120 of 2014 in OS No. 33 of 2004 holding that the decree is inexecutable in its present form and direct the Executing Court.

For Petitioner(s): Mr.P.R.Thiruneelakandan

For Respondent(s): Mr.N.Muthuvel

Government Advocate (for R9)

ORDER

This Civil Revision petition has been filed seeking a direction to set aside the order dated 15.10.2025 passed by the learned Principal Subordinate Judge,



Kanchipuram in E.P.No. 120 of 2014 in O.S No. 33 of 2004 holding that the decree is in-executable in its present form.

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2. Heard Mr.P.R.Thiruneelakandan, learned counsel for the revision petitioner/petitioner and Mr.N.Muthuvel, learned Government Advocate for the 9th respondent.

3. The revision petitioner filed an application in E.A.No.1 of 2021 in E.P.No.120 of 2014 in O.S.No.33 of 2004 under Section 47 of Code of Civil Procedure on the file of the learned Principal Subordinate Judge, Kancheepuram. The said application came to be dismissed by an order dated 06.10.2025. Without granting sufficient time to the petitioner, the executing Court has now proceeded to pass an order of delivery by an order dated 15.10.2025. The petitioner has therefore rushed to this Court since the respondents are taking steps to execute the delivery warrant immediately.

4. The learned counsel for the petitioner states that, immediately upon the orders being passed in Section 47 petition on 06.10.2025, the petitioner had applied for certified copies and he would submit that recently, the certified copy have also been furnished and appeal papers have also been re-presented.

5. In order to give some breathing time, though I am not inclined to interfere with the order of delivery passed by the executing court, this revision is disposed of with the following directions;



P.B.BALAJI J.

a) The order in E.P.No.120 of 2024 in O.S.No.33 of 2004 dated 15.10.2025

is confirmed, however, the delivery shall not be effected for a period of two (2) weeks from the date of receipt of a copy of this order.

b) In the mean time, it is open to the petitioner to workout his remedy including any interim relief in the first appeal challenging the order against Section 47 petition.

No costs. Consequently, connected miscellaneous petition is also closed.

21-11-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Secretary
Kancheepuram Co-operative Town Bank Ltd.
Kancheepuram taluk and Dist.
2. The Principal Subordinate Judge, Kanchipuram.

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