



WEB COPY

CRP No. 6580 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

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

CRP No. 6580 of 2025

1. Padmasini
2. Somasundaram

..Petitioner(s)

Vs

1. Dr.V.Paneerselvam
2. Saidani
3. Abdul Nazeer
4. Abdul Alim
5. Abdul Nayeem
6. Yasmin
7. Nazim
8. Mohammed Beevi
9. Mohammed Yusuf
- 10.Kamurunisa
- 11.Shanavaz
- 12.Akthar Ali

..Respondent(s)

To direct the Learned Subordinate Judge, Panruti to dispose of the E.P.No.125 of 2019 in O.S.No.234 of 1996 and pass such further or other order as this Court may think deed fit and proper in the light of the facts and circumstances of this case and thus render justice.

For Petitioner(s): Ms.M.Abbiraami

For Respondent(s): Mr.E.Ashok Kumar

**ORDER**

This matter is listed under the caption “For Being Mentioned”.

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2. Mr.E.Ashok Kumar, learned counsel for the 1st respondent made a mention with regard to the order passed in 19.12.2025 directing the Subordinate Judge, Panruti to dispose of the E.P.No.125 of 2019 in O.S.No.234 of 1996 on or before 31.03.2026, without seeking further extension of time.

3. The learned counsel for the 1st respondent submitted that an application under Section 47 of the Code of Civil Procedure, taken out by the 1st respondent, is pending.

4. In view of the order passed by me on 19.12.2025, the learned Subordinate Judge is insisting upon the parties to proceed with the EP without adjudicating Section 47 application. The learned counsel for the respondent also brings to my notice that a Transfer OP is pending before the Principal District Judge, Cuddalore.

5. Insofar as the Transfer OP is concerned, no interim order has been granted by the Principal District Judge, Cuddalore. Therefore, I find no impediment for the Executing Court to proceed with the matter. However, at the same time, as an application under Section 47 is pending, the Executing Court



has to first dispose of the same before taking up the E.P. on merits.

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6. In light of the above, Paragraph No.3 of the order dated 19.12.2025 is clarified and modified to the following effect:

“3. In light of the above, the Civil Revision Petition is allowed and the Learned Subordinate Court shall take up the Section 47 application pending in E.A.No.6 of 2025 in E.P.No.125 of 2019 on a priority basis and shall dispose of the same on merits and in accordance with law, after affording fair and reasonable opportunity to both parties. The adjudication of the said Section 47 application shall be completed by 31.03.2026 and Execution Petition shall subsequently be decided by 30.04.2026.”

7. Registry is directed to carry out the modification and issue a fresh order copy to all the concerned parties.

22-01-2026

JENI

To

The Subordinate Judge, Panruti.



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P.B.BALAJI, J.

JENI

CRP No. 6580 of 2025

22-01-2026



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CRP No. 6580 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 6580 of 2025

1. Padmasini
D/o Late Rajagopal, Residing at
No 45/3E, Nabigal Nayagam Street,
Pudhupalyam, Cuddalore-607001.

2. Somasundaram,
S/o.Late Rajagopal, Residing at
No.45/3E, Nabigal Nayagam Street,
Pudhupalyam, Cuddalore -607 001.

Petitioner(s)

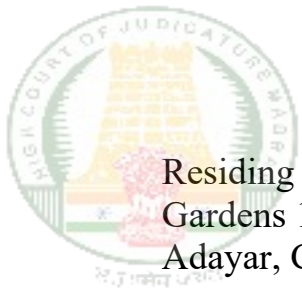
Vs

1. V.Paneerselvam,
S/o Vadivel Padyachi, No 117/1,
Police Line, 4th Street, Panruti,

2.Saidani,
W/o.Late Abdul Jabar Sahib,
Door No.31/57, Sahibpet Street,
Chemmandalam, Cuddalore -1.

3.Abdul Nazeer,
S/o.Abdul Jabar Sahib,
Residing at D.No.32/46, Asthalakshmi
Gardens 1st Street, Besant Nagar,
Adayar, Chennai -90.

4.Abdul Alim,
S/o.Late Abdul Jabar Sahib,



Residing at D.No.32/46, Asthalakshmi
Gardens 1st Street, Besant Nagar,
Adayar, Chennai -90.

5.Abdul Nayeem,
S/o.Late Abdul Jabar Sahib,
Residing at D.No.32/46, Asthalakshmi
Gardens 1st Street, Besant Nagar,
Adayar, Chennai -90.

6.Yasmin,
D/o.late Abdul Jabar Sahib,
Residing at D.No.32/46, Asthalakshmi
Gardens 1st Street, Besant Nagar,
Adayar, Chennai -90.

7.Nazim,
D/o.Late Abdul Jabar Sahib, Residing
at D.No.32/46, Asthalakshmi Gardens
1st Street, Besant Nagar, Adayar,
Chennai -90. Raisa Beevi (Died)

8.Mohammed Beevi,
D/o.late Abdul Munaf
Shahib(W/o.Basha), No.20, Main Road,
Periampattu, Thiagaduravam -T.K.,

9.Mohammed Yusuf,
S/o.Late Abdul Munaf Shahib,
D.No.32/46, Ashtalakshmi Garden's
First Street, Besant Nagar,
Adayar, Chennai -90.

10.Kamurunisa,
D/o.Late Abdul Munaf Shahib,
(w/o.Shekath Ali), Housing Board,
Vilva Nagar, Cuddalore -1.

11.Shanavaz,
S/o.Late Abdul Munaf Shahib,
Door No.32/46, Ashtalakshmi Garden's
First Street, Besant Nagar, Adayar,
Chennai -90.



12.Akthar Ali,
S/o.Late Abdul Munaf Shahib,
Door No.32/46, Ashtalakshmi Garden's
First Street, Besant Nagar,
Adayar, Chennai -90.

Respondent(s)

PRAYER

Civil Revision Petition is filed under Article 227 of the Constitution of India, pleaded to direct the Learned Subordinate Judge, Panruti to dispose of the E.P.No.125 of 2019 in O.S.No.234 of 1996 on merits within a time frame fixed by this Hon'ble Court.

For Petitioner(s): M/s.M.Abbiraami

ORDER

M/s.M.Abbiraami, learned counsel for the petitioners states that the petitioners are decree holders, who are aged 90 and 87 years respectively. They have been struggling to execute the decree in their favour, which was passed way back in 2000. She would also bring to my notice that the respondents have challenged the decree up to the Hon'ble Supreme Court and have been unsuccessful and now they are protracting the execution petition. The learned counsel also states that, in fact, even earlier this Court had issued direction to dispose of EP within a period of six months and this was on 05.07.2022, and unfortunately the matter is pending, despite directions issued by this Court and the matter having gone up to the Hon'ble Supreme Court.



2. Considering the fact that this Court has given clear directions to the Executing Court to dispose of pending execution petition before them and also the matter attains finality before the Hon'ble Supreme Court.

3. In the light of the above, this Civil Revision Petition is allowed and **the Executing Court, shall dispose of the E.P No.125 of 2019 in O.S. No.234 of 1996, by 31.03.2026**, without seeking any further extension of time and also comply with the directions issued by this Court in CRP No.2043 of 2022, dated 05.07.2022 and also dispose all the pending execution application pending before them. No costs.

dsn

19-12-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

The Subordinate Judge, Panruti.

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P.B.BALAJI J.

dsn

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19-12-2025