



C.R.P.(NPD)(MD)No.308 of 2025

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.03.2025

CORAM

**THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR**

**C.R.P.(NPD)(MD)No.308 of 2025**

**and**

**C.M.P(MD)No.1799 of 2025**

C.Bensigar

...Petitioner/Respondent Judgment debtor/  
1<sup>st</sup> defendant

Vs.

1.Sarojini  
2.Radhakrishnan  
3.Jauikrishnan  
4.Rajakrishnan

...Respondents 1 to 4/Petitioners-decree holders/  
Plaintiffs

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records relating to Docket order in EP.48/2023 in OS. No. 135/012 passed by Sub Court, Padmanabhapuram, dated 06.01.2025, and set aside the same.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.J.Animesh

\* \* \* \* \*



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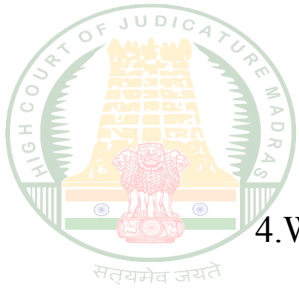
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## **ORDER**

The first defendant in O.S.No.135 of 2012, on the file of the Sub Court, Padmabanatpuram, has filed the present revision petition challenging the order passed in E.P.No.48 of 2023, wherein the executing Court has appointed an Advocate Commissioner to demarcate the suit schedule property as per the decree for demarcation of boundaries.

2.It is brought to the notice of the Court that the plaintiffs had succeeded before the trial Court and the first appeal filed by the defendant in A.S.No.144 of 2018, before the Additional District Court, Padmanabhapuram, has also been dismissed. Challenging the same, the defendant has filed S.A.(MD)No.246 of 2023. This Court has granted interim order on 24.02.2025 in C.M.P.(MD)No. 5354 of 2023 in SA(MD)No.246 of 2023.

3.In view of the interim order granted by this Court in Second Appeal, the order passed in E.P.No.48 of 2023, on 06.01.2025, cannot be put to execution as on today. The order shall be kept in abeyance and the same can be revived depending upon the outcome in S.A.(MD)No.246 of 2023.



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4. With the above said observations, this Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

**24.03.2025**

Internet: Yes/No  
Index: Yes/No  
RJR

To

The learned Sub Judge, Padmanabhapuram.

**Copy to:-**

The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court, Madurai.



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**R.VIJAYAKUMAR, J.**

RJR

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**24.03.2025**