

CRP(MD). No.1978 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 25/08/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1978 of 2025
and CMP(MD) No.11336 and 11255 of 2025**

B.K.Rajani

... Petitioner

Vs

1. B.K.N.Rajaram

2. B.R.Sukumar

3. B.R.Jeyakumar

B.K.N.Kannan (Died),
B.K.N.Shanthilal (Died).

4. B.K.Sekar

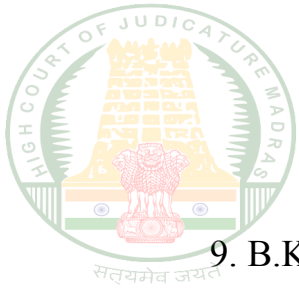
B.K.Vairam (Died),
B.K.Janakiammal (Died).

5. B.K.Nagendran,

6. B.K.Rajendran,

7. B.K.Ashokkumar

8. B.K.Selvam



CRP(MD). No.1978 of 2025

9. B.K.Ravi

B.K.Ramesh (Died).

10. B.K.Suresh

11. B.K.Ramani

12. B.K.Revathi

V.Kokila (Died).

13. V.Suvitha

14. V.Sudha

15. Kamalavalli

16. G.Bhuvaneshwari

17. M.S.Shadakshari

18. S.Jothi

19. S.Geetha

20. Gayathri

21. Rithis Kumar

... Respondents

PRAYER :-Civil Revision Petition filed under section 115 of Civil Procedure Code, to set aside the order of auction dated 02.07.2025 in E.A.No.20/2025 in E.P.No.47/2007 in O.S.No.08/2004 on the file of 1st Additional District Judge and Sessions Judge (PCR), Tiruchirappalli.



CRP(MD), No.1978 of 2025

For Petitioner : Mr.M.Jahangir Baba

For Respondent : Mr.K.Hema Karthikeyan

WEB COPY

ORDER

The Civil Revision Petition has been filed against the order of auction dated 02.07.2025 in E.A.No.20/2025 in E.P.No.47/2007 in O.S.No.08/2004 on the file of 1st Additional District Judge and Sessions Judge (PCR), Tiruchirappalli.

2. The suit is filed for recovery of money by the respondents/plaintiffs 1 to 3 and the same was decreed, against which, the respondents/plaintiffs 1 to 3 initiated execution proceedings, where execution was ordered and the jewels are directed to be auctioned. Challenging the said auction, the petitioner/10th defendant filed a petition to stay the said proceedings, which came to be dismissed, against which, the petitioner is before this Court.

3. When the Civil Revision Petition was taken up for hearing on 16.07.2025, this Court has passed the following order:

“Civil Revision Petition is filed against the order of



CRP(MD). No.1978 of 2025

WEB COPY

eviction dated 02.07.2025 in EA No.20/2025 in EP No. 47/2007 in OS No.08/2004 on the file of the 1st Additional District and Sessions Judge, Tiruchirappalli.

2. The petitioner is the judgment debtor and he filed EA No.20/2025 under Section 47 of the Code of Civil Procedure to stay the execution proceedings. However, the said petition came to be dismissed, against which, he is before this Court with this Civil Revision Petition.

3. The learned counsel for the petitioner would submit that the respondent/plaintiff filed the suit for recovery of money in OS NO.08/2004 and the suit was decreed in the year 2007 and subsequently he filed EP No.47/2007 and the same was allowed and the property was brought for auction, against which, the petitioner filed EA NO.20/2025 to stay the said proceedings, which was dismissed. However, now, the learned counsel for the petitioner, on instructions, would submit that the petitioner is ready to deposit a sum of Rs.15 lakhs on or before 28.07.2025. Till such time, the trial Court may be directed to defer the proceedings.

4. The learned counsel for the respondent, however, would submit that if the petitioner failed to pay the said amount, liberty may be granted to the trial Court



CRP(MD). No.1978 of 2025

WEB COPY

to proceed in accordance with law.

5. In view of the said submission, the petitioner is directed to pay a sum of Rs.15 lakhs on or before 28.07.2025. Till such time, the trial Court is directed to defer the auction/execution proceedings. Post on 28.07.2025”.

4. When the matter was taken up for hearing, the learned counsel for the petitioner would submit that as per the order of this Court dated 16.07.2025, as undertaken before this Court, out of Rs.60 lakhs, Rs.15 lakhs has been deposited by the petitioner on 28.07.2025 and the balance is only Rs.45 lakhs. He would submit that the said balance would be paid within a period of eight weeks and hence, prays for appropriate direction.

5. The learned counsel for the respondent has no serious objection for the same.

6. The petitioner has made an endorsement to that effect. The same forms part of the record.



CRP(MD), No.1978 of 2025

WEB COPY

7. Considering the said submission made by the learned counsel for the petitioner and as per the undertaking, the Civil Revision Petition is disposed of by directing the petitioner to deposit a sum of Rs.45,00,000/- (Rupees forty five lakhs only) before the trial Court, with accrued interest, if any, within a period of eight weeks, ie., on or before 22/10/2025, failing which, the trial Court is directed to auction the jewels as per the order in EP No.47/2007. On such deposit being made, liberty is also granted to the respondent/plaintiff to withdraw the remaining Rs.45 lakhs and also Rs.15 lakhs deposited before the Court below. On such payment being made, the trial Court is directed to return the jewels in question to the revision petitioner with due acknowledgment. No costs. Consequently connected Miscellaneous Petitions are closed.

25.08.2025

NCC : Yes/No

Index : Yes/No

RR

TO

1.The 1st Additional District Judge and Sessions Judge
(PCR), Tiruchirappalli.

2.VR Section

Madurai Bench of Madras High Court, Madurai.

M.DHANDAPANI,J



WEB COPY



CRP(MD), No.1978 of 2025

RR

**ORDER
IN
CRP(MD) (NPD) No.1978 of 2025**

Date : 25/08/2025