



CRP(MD). No.3471 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25/11/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.3471 of 2025

Eswaran,

... Petitioner

Vs

1. Eswari,
W/o.Late.Subramani,

2. N.Ramasamy,
S/o.Nachimuthu Gounder,

... Respondents

PRAYER :- Civil Revision Petition filed under Section 115 of Civil Procedure Code, to set aside the impugned docket order dated 05-11-2025 and direct the Principal Sub Court, Palani to assign main E.A.Number to the SR.No.10263/2025 dated 05-11-2025 and decide the same on merits

For Petitioner : M/s.Kbs Law Office,

ORDER

This Civil Revision Petition has been filed to set aside the impugned docket order dated 05-11-2025 and direct the Principal Sub Court, Palani



CRP(MD). No.3471 of 2025

to assign main E.A.Number to the SR.No.10263/2025 dated 05-11-2025
and decide the same on merits.

2. The return that has been made by the Court below in the application filed under Section 47 CPC had been dealt with on the merits of the application.

3. This Court is of the view that the Execution Application (E.A.) would be taken on file after hearing the respective parties and that the very same Court dismissed the application without properly considering the rights of the party who filed the application under Section 47 CPC. Hence, the docket order dated 05.11.2025 passed by the Principal Sub Court, Palani is set aside and a direction is issued to the Principal Sub Court, Palani, to taken on file the said Execution Application and disposed of the same in accordance with law. Accordingly, this Civil Revision Petition is allowed. No Costs.

25.11.2025

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CRP(MD). No.3471 of 2025

Note: Registry is directed to return the original application filed along with this Civil Revision Petition to the petitioner.

TO

Principal Sub Court, Palani,



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CRP(MD). No.3471 of 2025

K.KUMARESH BABU,J

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**ORDER
IN
CRP(MD) No.3471 of 2025**

Date : 25/11/2025