



CRP(MD). No.3787 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.12.2025

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.3787 of 2025
and
CMP(MD) No.19923 of 2025**

K.Sakthivel

... Petitioner

Vs

D.Jeyalakshmi

... Respondent

PRAYER :-Civil Revision Petition filed under Section 115 of Civil Procedure Code, to set aside the impugned fair and decreetal order dated 17.10.2025 made E.P. No. 20 of 2024 in O.S.No. 254 of 2022 on the file of the Additional Sub Court, Palani, Dindigul District.

For Petitioner : Mr.A.Vadivel

ORDER

This Civil Revision Petition has been filed challenging the order dated 17.10.2025 made in E.P.No.20 of 2025 in O.S.No.254 of 2022 on the file of the Additional Sub Court, Palani, Dindigul District.



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2.This petitioner is the judgment debtor in the suit in O.S.No.254 of 2022 and the respondent in the execution petition. The suit was filed by the respondent/plaintiff in the year 2022 for recovery of money. The suit was decreed on 21.12.2023 in favour of the respondent/plaintiff. Aggrieved over the same, the petitioner/defendant preferred an appeal in AS.No.68 of 2024 before the Additional District Court, Palani, Dindigul District and the same is pending now. Pending appeal, the respondent/plaintiff had filed E.P.No.20 of 2024 and the Executing Court has allowed the above petition, vide order dated 17.10.2025. Challenging the same, the present Civil Revision Petition has been filed.

3.The learned counsel for the petitioner reiterated all the contentions set out in the memorandum of grounds of Civil Revision Petition and called upon this Court to set aside the impugned order and grant the relief as prayed for.

4.Heard the learned counsel for the petitioner and since no adverse order is going to be passed as against the respondent, notice to the respondent is dispensed with.



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5. Admittedly, the respondent/plaintiff filed a suit in O.S.No.254 of 2022 for recovery of money. The suit was decreed on 21.12.2023 in favour of the respondent/plaintiff. The petitioner/defendant has suffered a decree. Challenging the judgment and decree, dated 21.12.2023, the petitioner/defendant preferred an appeal in AS.No.68 of 2024, which is now pending. Pending appeal, the respondent/plaintiff had filed E.P.No. 20 of 2024, which was also allowed, vide order dated 17.10.2025.

6. Perusal of records would reveal that the petitioner has already prevented the execution from 21.12.2023 to till date and the first appellate Court has not passed any order staying the operation of O.S.No. 254 of 2022 so far. I do not see any material irregularity or exercise of excess jurisdiction or refusal to exercise jurisdiction vested in it by the executing Court. The order passed by the Executing Court is perfectly justified and hence, I do not find any ground to interfere with the same.



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7. Accordingly, the Civil Revision Petition fails and it is dismissed.

No costs. Consequently, connected miscellaneous petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

The Additional Subordinate Judge, Palani, Dindigul District.



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N.SENTHILKUMAR, J.

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