



WEB COPY



CRP No. 388 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP No. 388 of 2026
and CMP No.2197 of 2026**

1. Janaki
W/o. M.S Sekar, No 3/198, GTR Nagar,
Pavithramanickam, Ilavankarkudi,
Kuduvasal Tk, Thiruvarur Dist. and another

2. M.S.Sekar
S/o.M.Srinivasan, No.3/198, G.T.R.Nagar,
Pavithramanickam Ilavankarkudi,
Kuduvasal Taluk Thiruvarur District

Petitioner(s)

Vs

1. Rajeswari
W/o Sekar, Rajeswari Mansion, No 17B-4,
South Mada Vizhagam, Thiruvarur Tk and
Dist.

Respondent(s)

For Petitioner(s): V. Ramamurthy

For Respondent(s): Mr.D.Kanaga Sundaram



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ORDER

Heard Mr.V.Ramamurthy, learned counsel for the petitioners and Mr.D.Kanaga Sundaram, learned counsel for the respondent.

2. The petitioners have filed the revision petition against the order passed in EP No,8 of 2025. The grievance of the petitioner is that their application filed under Section 47 of the Civil Procedure Code has not been taken up on file for the past three months and that was the only ground on which the revision itself has been filed, so that, the petitioner may be given an opportunity to contest the executability of the decree on the available legal grounds.

3. However, per contra, learned counsel for the respondent states that the petitioners have suppressed the dismissal of Special Leave Petition filed by them before this Court and they have obtained interim orders based on the said suppression.

4. Be that as it may, now the decree has become final and the dismissal of Special Leave Petition will not preclude the petitioner from challenging the executability of the decree under Section 47 of Civil Procedure Code. It is an admitted fact by both



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sides that application under Section 47 of Civil Procedure Code filed by the petitioner has been returned.

5. In the light of the above, the civil revision petition is dismissed confirming the order passed by the executing Court. However, the delivery warrant shall be kept in abeyance until 30.04.2026. The application filed under Section 47 of Civil Procedure Code shall be represented by the petitioner within a period of one week from the date of receipt of web-copy being uploaded in the High Court Website and thereafter, the executing court shall number the application and shall dispose of on merits and in accordance with law by 30.04.2026 without being influenced any of the observations that have been made by this Court herein above.

No costs. Consequently, connected miscellaneous petition is closed.

20.02.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking order

To

The Principal District Court, Thiruvarur



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