

CRP.No.445 of 2026**P.B.BALAJI, J.**

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Mr.K.Premkumar, learned counsel for the revision petitioner has clarified the query posed by this Court today with regard to the direction sought for to be issued to the learned Principal District Sessions Judge, Tiruvallur, instead of the Sub Court, Tiruvallur. The learned counsel would bring to the notice that the Courts are functioning in a combined Court complex and the learned Principal District Judge is supervising the entire administrative works and hence, direction is sought to be issued to the Principal District Judge.

2. However in view of the fact that the matter is pending before the Subordinate Judge, Tiruvallur, I do not deem it necessary to additionally burden the learned Principal District Judge with the task of numbering the Execution Petition pending before the Subordinate Court, Tiruvallur.

3. In the light of the above, the order dated 02.02.2026, paragraph no.5, shall be replaced as follows:

“In view of the specific contention of the petitioners that the transmission of the decree has already been filed before the Sub Court, Tiruvallur and there appears to be no notice taken thereof. I



am inclined to direct the Subordinate Judge, Tiruvallur, to verify whether the petitioners have filed the transmission of the decree before the Registry of the Court, and if so proceed to number the execution petition and dispose of same on merits and in accordance with law.”

12.02.2026

sk

Note: Registry is directed to issue fresh order copy to the concerned parties by 13.02.2026.



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 445 of 2026

M.Sundararajan (Since Deceased)

Rep. by Legal Heirs

1. Kuppammal

2. Sarala

3. Indira

4. Hemanath

5. Hemakumar

6. Devakumar

7. Malarvizhi

8. Manjula

9. Saravanan

(Petitioners 1, 2, 7, 8 and 9 are wife, daughters and son of the deceased DH/M.Sundararajan) and petitioners 3, 4, 5 and 6 are the legal representatives of pre-deceased son of Decree Holder S.Ganesan,

Petitioner(s)

Vs

G.Sita (Deceased)

1. Hari Sharma

2.G. Ravi Sharma

3.G. Shyamsundar



4.G. Venugopal

5.R. Lakshmi

6.G. Sujatha

7.G. Lalitha

8.G. Saraswathy

Old No.20, New No.113,

Karaneeswarar Pagoda Street,

Mylapore, Chennai 600 004.

(No Notice or summons to be served in
this CRP on the respondents, because
the EP is at the unnumbered stage)

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to issue appropriate directions to the learned Principal District and Sessions Judge at Tiruvallur to number and decide the Execution Petition vide Filing No.644 of 2024 dated 23.09.2024 within the time fixed by this Court.

For Petitioners: Mr.K.Premkumar

ORDER

Heard the learned counsel for the petitioners.

2. The petitioners sought limited direction in the revision petition to the learned Principal District and Sessions Judge, Tiruvallur, to number and decide the Execution petition vide Filing No.644 of 2024 dated 23.09.2024.

3. The Execution Petition has been filed in order to execute the decree passed in O.S.No.3116 of 1996. The Execution Petition was initially returned on the ground that the decree has not been transmitted from City Civil Court,



Chennai to Sub Court, Tiruvallur.

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4. The learned counsel for the petitioners state that the transmission of the decree was completed and handed over to the Court and, however, despite the same for the very same compliance, the Court has once again returned the Execution Petition by 19.11.2025.

5. In view of the specific contention of the petitioners that the transmission of the decree has already been filed before the Sub Court, Tiruvallur, and there appears to be no notice taken thereof. I am inclined to direct the learned Principal District & Sessions Judge, Tiruvallur, to verify whether the petitioners have filed the transmission of the decree before the Registry of the Court, and if so proceed to number the execution petition and dispose of the same on merits and in accordance with law.

6. In view of the above, this Civil Revision Petition is allowed.

02.02.2026

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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P.B.BALAJI J.
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To

1. Learned Principal District and Sessions Judge, Tiruvallur.

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