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CRP No. 691 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 691 of 2026 and CMP No.3663 of 2026

1. R.Arumugam
S/o. Late Ramakrishnan, No.37, 3rd Street,
Ennore Kuppam, Ennore, Chennai-600 057.
and another

2. R. Ramesh
S/o.Late Ramakrishnan, No.37, 3rd Street,
Ennore Kuppam, Ennore, Chennai-600 057.

Petitioner(s)

Vs

1. Desarani
W/o. Late Narayanan, No.70/5, 5thStreet,
Ennore Kuppam, Ennore, Chennai-600 057.
2.Dinesh Kumar
S/o.late Narayanan , No.70/5, 5thStreet,
Ennore Kuppam, Ennore, Chennai-600 057.
3.Magesh Kumar
S/o.Late Narayanan, No.70/5, 5thStreet,
Ennore Kuppam, Ennore, Chennai-600 057.

Respondent(s)

Civil Revision Petition filed to set aside the impugned docket order passed in E.P No.249 of 2024 in O.S.No.173 of 2022 on the file of Subordinate Judge, Thiruvottiur.

For Petitioner(s): S.Ravichandran

For Respondent(s): R.Gopalakrishnan



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ORDER

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Heard Mr.S.Ravichandran, learned counsel for the petitioners and Mr.R.Gopalakrishnan, learned counsel for the respondents.

2. Learned counsel for the petitioners states that first appeal filed by the petitioner is pending in A.S.No.3 of 2025 before Additional District and Sessions Court, Ponneri and taking advantage of there being no interim order in the said first appeal, the respondents have proceeded with the execution petition in E.P No.249 of 2024 which has resulted in the impugned docket order, in and whereby, the Subordinate Court, Thiruvottriyur has only recorded the factum that there is no interim stay by the appellate Court and posted the execution petition for orders.

3. The petitioners have challenged the said docket order in the present revision petition. He therefore seeks interim protection and cooperate for expeditious disposal of the first appeal in A.S.No.3 of 2025.

4. Per contra, MR.R.Gopalakrishnan, learned counsel appearing for the respondents would bring to my notice that the first appeal in A.S.No.3 of 2025, pending



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before the Additional District and Sessions Court, Ponneri is posted to 27.02.2026 for judgment and till the verdict is given in A.S.No.3 of 2025, the respondents are willing to wait and shall not take any coercive steps in the execution petition.

5. In view of the fair submission made by the learned counsel for the respondents, the civil revision petition is disposed of with the following directions:-

(i) Any orders passed by the executing Court pursuant to the order dated 27.01.2026 shall be kept in abeyance and not enforced till such time the judgment is delivered in A.S.No.3 of 2025 on the file of Additional District and Sessions Court, Ponneri;

(ii) Subject to the judgment in A.S.No.3 of 2025, it shall be open to the respondents to proceed with the execution petition.

(iii) In the event of the first appeal in A.S.No.3 of 2025 being dismissed confirming the judgment and decree of the trial



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P.B.BALAJI.,J

sr

court, then the executing court shall ensure that the execution petition in EP No.249 of 2024 is disposed of within a period of four weeks from the date of judgment being delivered in A.S.No.3 of 2025.

No costs. Consequently, connected miscellaneous petition is closed.

18.02.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-Speaking Order

To

1. The Additional District and Sessions Court, Ponneri
2. The Subordinate Court, Thiruvottiyur

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