



WEB COPY



C.R.P.No.912 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.912 of 2026

S.Sambandan

... Petitioner

Vs.

1. D.Aranganayagi

2. Deivasigamani

... Respondents

Prayer:- Civil Revision Petition filed under Article 227 of Constitution of India, to strike off the E.A.No.6 of 2025 in E.P.No.103 of 2010 in O.S.No.212 of 1993 on the file of the learned Subordinate Judge at Poonamalle and to allow the said application with cost throughout.

For Petitioner : Mr.M.V.Seshachari

ORDER

Heard the learned counsel appearing for the petitioner and perused the materials available on record.



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2.The revision petitioner is the plaintiff, who seeks to strike off E.A. No. 6 of 2025 filed by a third-party obstructor in the course of execution proceedings initiated for recovery of possession of the property.

3. The learned counsel for the petitioner submitted that the petitioner has succeeded in the litigation upto the Hon'ble Supreme Court of India and that the third-party obstructor is acting in collusion with the judgment debtors with a view to protract the proceedings and deprive the petitioner of the fruits of the decree.

4. The application in E.A. No. 6 of 2025 has been filed under Order XXI Rule 97 CPC. A separate and specific procedure is prescribed under Order XXI for adjudication of applications filed under Rule 97, which may also require recording of evidence. In such circumstances, this Court does not find it appropriate to entertain the present Revision under Article 227 of the Constitution of India for striking off the said application filed by the third-party obstructor.



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5. In view of the above, this Civil Revision Petition is dismissed.

However, considering that the suit is of the year 1993 and the petitioner has been litigating for nearly three decades, the Executing Court is directed to dispose of E.A. No. 6 of 2025 on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. No costs.

23.02.2026

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
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To

The Subordinate Court, Poonamalle.



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P.B.BALAJI, J.

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