



WEB COPY



CRP.No.1155 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.03.2026

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

CRP.No.1155 of 2026

and

C.M.P.No.5957 of 2026

M/s.Chamundeeswary Estates Private Limited
Represented by its Director,
Mr.Rathna Sabapathy Lenin
Having its registered office at No.21
Mount Road, Little Mount, Saidapet
Chennai 600 015.

... Petitioner

Vs.

1.M/s.T.Jayaraman (Firm)
Rep.by its Managing Partner
No.9, K.R.Koil Street, 1st Floor
West Mambalam, Chennai 600 033.

2.M/s.Sanluck International
Rep.by its Partner, S.C.Sanjeev Kumar
Old No.867, K.G.S.Vrudhi
1-B, First Floor, Opp G3 Police Station
Poonamallee High Road
Chennai 600 010.

3.S.C.Sanjeev Kumar
4.S.C.Vijay Kumar

... Respondents



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PRAYER: This Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the Return Memo dated 11.02.2026 rendered in E.A.SR.No.9198 of 2026 in E.P.No.4430 of 2021 on the file of the X Assistant City Civil Court, Chennai.

For Petitioner : Mr.Dinesh Balachandran

ORDER

This Civil Revision Petition has been filed to set aside the return memo dated 11.02.2026 rendered in E.A.SR.No.9198 of 2026 in E.P.No.4430 of 2021 on the file of the X Assistant City Civil Court, Chennai.

2. The petitioner filed a petition in E.A.SR.No.9198 of 2026 under Order XXI Rule 97 of CPC, to pass an order directing the decree holder or any other person on his behalf not to resist or obstruct the petitioner in obtaining possession of the schedule property in the above EP. The said EA.SR.No.9198 of 2026 was returned on 11.02.2026. Hence, the present Civil Revision Petition.

3. The learned counsel for the petitioner submitted that the learned Judge failed to exercise the jurisdiction vested in him by refusing to number the petitioner's application. He further submitted that the endorsement in the return memo dated 11.02.2026 in E.A.SR.No.9197 of 2026 would show that no proper reasons were assigned by the learned Judge for returning the application and



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further the urgency involved was not also considered. The learned counsel further submitted that the learned Judge without numbering and deciding the application on merits had raised the issue of maintainability which is premature and an abuse of process of law.

4. This Court has perused the return memo. The learned Judge has only called for an explanation from the petitioner on the maintainability of the petition and further granted two weeks time to the petitioner to represent the petition. Therefore, from the endorsement in the return memo, it is clear that only an explanation was called for from the petitioner and there was no determination of the issue and hence the petitioner cannot be aggrieved by a mere return memo. Hence, the Civil Revision Petition lacks merit and thus is dismissed. Under the circumstances, the petitioner is directed to re-present the papers along with his explanation within a week from the date of receipt of a copy of this order. Needless to state, if the petitioner is aggrieved by the order passed in his petition, the petitioner is at liberty to challenge the same in a manner known to law, if so advised. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

04.03.2026

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

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