



WEB COPY

CRP No. 1125 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

CRP No. 1125 of 2026

AND

CMP NO. 5888 OF 2026

Yesodhammal (Deceased)

1. K.Audikesavalu
now amended as K.Adhikesavan,
No.34, Bajanai Koil St,
Kolathur, Chennai 99.

2. K. Chandran
No.34, Bajanai Koil St,
Kolathur, Chennai 99.

Mari (Deceased)

3. Renuka
D/o.Late Kanniah Naidu,
No.34, Bajanai Koil St,
Kolathur, Chennai 99.

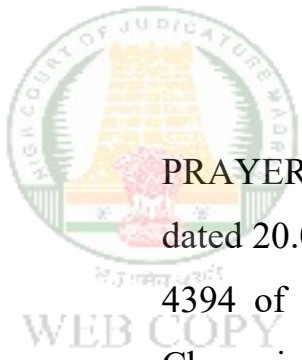
4. Vijaya
D/o.late kanniah Naidu,
No.34, Bajanai Koil St,
Kolathur, Chennai 99.

..Petitioner(s)

Vs

M.Sasikala
W/o.S.Mohan,
No.11, North Mada St,
Kolathur,
Chennai 99

..Respondent(s)



PRAYER : Petition filed under Section 115 of the C.P.C., to set aside the order dated 20.02.2026 passed in E.A.No.1 of 2026 in E.P.No.168 of 2025 in O.S.No. 4394 of 2010 on the file of the XXVIII Assistant Judge, City Civil Court, Chennai.

For Petitioner(s): Mr.M.Ramesh

For Respondent(s): Mr.K.S.SUNDAR

Order

This Civil Revision Petition has been filed to set aside the order dated 20.02.2026 passed in E.A.No.1 of 2026 in E.P.No.168 of 2025 in O.S.No. 4394 of 2010 on the file of the XXVIII Assistant Judge, City Civil Court, Chennai.

2. Heard Mr.M.Ramesh, learned counsel appearing for the petitioners and Mr.K.S.Sundar, learned counsel appearing for the respondent.

3. According to the learned counsel for the revision petitioners, the petitioners are the Class II legal heirs of the deceased Judgment Debtor. The Class I legal heirs are available and without impleading them, the Execution Petition is not maintainable.

4. Per contra, the learned counsel for the respondent / Decree Holder would submit that I.A.No.1 of 2026 was filed only to recognise the revision petitioners, who are admittedly in possession, as the legal representatives of the deceased Mari and not as the legal heirs of the deceased Mari, the fourth



respondent. He would further submit that despite being called upon the particulars of the legal heirs of the deceased Judgment Debtor, they were not furnished by the petitioners, only because the particulars were not available. He would therefore submit that there is absolutely no merit in the Revision Petition.

5. I carefully consider the submissions advanced by the learned counsel on either side and also gone through the typed set of papers including the impugned order. As rightly contended by Mr.K.S.Sundar, the application in I.A.No.1 of 2026 was filed in order to recognise the petitioners who are in possession of the subject premises as the legal representatives of the deceased Mari. In such circumstances, I do not see how the petitioners are in any way prejudiced and it appears to be only an attempt to protract the proceedings by calling upon the respondent to implead the legal heirs of the deceased Mari, who may not be the proper and necessary parties and according to the petitioners as well, they are only in possession of the subject premises. Hence, I do not find any merit in this Revision Petition.

6. In the result, this Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSK



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CRP No. 1125 of 2



P.B.BALAJI J.

GSK

To

1. XXVIII Assistant Judge,
City Civil Court, Chennai.

2.M.Sasikala
W/o.S.Mohan,
No.11, North Mada St,
Kolathur,
Chennai 99

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