



WEB COPY

CRP No. 1565 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1565 of 2026

AND

CMP NO. 7383 OF 2026

A.Venkatesan
S/o. Mr.P.Audhimoolam,
No.5/10/51, Seven Wells Street,
Poonthottam, Nandambakkam,
Chennai-600 103.

..Petitioner(s)

Vs

A.Nagarajan
S/o. (Late) Mr. Arumugham,
Old No.60, New No.39,
Seeyalam Street, Villivakkam,
Chennai-600 049.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art. 227 of Constitution of India,
praying to set aside the docket Order dated 18.02.2026 in EA.SR.No.927/2026
in EP.No.14/2026 on the file of the Subordinate Judge at Alandur in OS.No.25
of 1991 on the file of Subordinate Judge at Poonamallee.

For Petitioner(s):

Mr.Seetharam Venkata
for Mr.Satish K

ORDER

Challenging the docket order passed by the Executing Court in E.A.SR
No. 927 of 2026 in E.A.No.2 of 2026 in E.P.No.14 of 2026 seeking to stay all



further proceedings pursuant to the O.S.No. 743 of 2025 seeking compensation under Sec.51 of Transfer of Property Act was already pending before the Sessions Judge, Mahila at Chengalpattu from 24.09.2025 and pendency of the interlocutory application, the revision petitioner/judgment debtor preferred this Civil Revision Petition.

2. Since the relief is claimed challenging the docket order passed by the trial judge, notice to the respondent is dispensed with.

3. Before the trial court, the Revision Petitioner filed an application to stay the execution of the decree, since they have filed the suit in O.S.No.753 of 2025 was pending before the Sessions Judge, Mahila Court at Chengalpattu seeking compensation for improvements made in the suit property. The said application was not entertained by the executing court for the reason that the matter relates to the same parties and the suit was filed only for compensation and that would not stand in the way to execute the E.P.. Hence, the petition to stay the EP is without any basis and only an attempt to delay the EP in the order confirmed upto the Apex Court. Hence, the application was rejected at the SR Stage itself. Challenging the said rejection order of the Executing Court, the revision petitioner preferred this Civil Revision Petition.



4. The learned counsel for revision petitioner would submit that if the execution proceedings is not stayed, in future, they are not able to realise the relief of compensation which they sought in O.S.No.743 of 2025 pending before the Sessions Judge, Mahila Court, Chengalpet.

5. On seeing the facts, it reveals that there was a suit filed between the revision petitioner and the respondent in O.S.No.25 of 1991 and the said suit was contested by both parties and thereafter, the suit was decreed in favour of plaintiff. Against which, an appeal was preferred in A.S.No.27 of 2010 and the same was ended against the plaintiff. Against which, Second Appeal in S.A.No.398 of 2012 was filed before this court and the same was allowed. Aggrieved over that, an appeal in S.L.A.(C) No.5103 of 2023 was filed before the Supreme Court and the same was dismissed. So, as on date, the decree is in favour of respondent/decreed holder, which was confirmed by the Supreme Court. To execute the decree, the respondent/decreed holder filed a petition in E.P. No. 14 of 2016 against the revision petitioner/judgment debtor. Now he wanted to stay the proceedings, for which he filed an application in E.A.SR.No.927 of 2026, which was not entertained by the trial court as there is no cause of action arose and as per the decree obtained in O.S.No.25 of 1991, the decree holder is entitled to execute the decree, which cannot be stayed and the pendency of the suit is arising totally different cause of action, besides the decree in O.S.No.25 of 1991 is confirmed by the Supreme Court, which cannot



be stayed. To that effect, the endorsement made by the Executing Court requires no interference. Accordingly, this Civil Revision Petition is dismissed. No costs.

Consequently, connected civil miscellaneous petition is closed.

17-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The Subordinate Judge, Poonamallee.



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T.V.THAMILSELVI J.

RPP

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