



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 2156 of 2026
and CMP.No.9428 of 2026**

N. Govindarajan
S/o Krishnamoorthy, 22/27, Krishna
Street, T.Nagar, Chennai 600 017

Petitioner(s)

Vs

S.Ramadevi
W/o S.Subbiah, No.8, III Cross Street,
Sarathy Nagar, Puzhuthivakkam,
Madipakkam, Chennai 091.

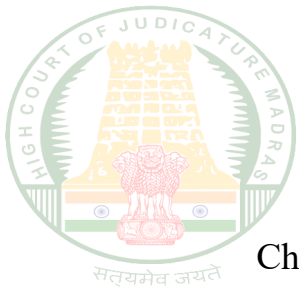
Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, against the impugned order dated 23.03.2026 passed in E.P.No.703/2017 in O.S.No.977/2013 on the file of the Hon'ble IX Assistant City Civil Court, Chennai.

For Petitioner(s): MS. D.Malarvizhi

For Respondent(s): Mr.S.Karthikei Balan

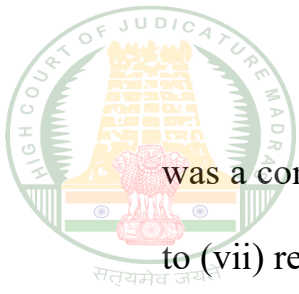


ORDER

Challenging the impugned order passed in E.P.No.703 of 2017 in O.S.No.977 of 2013, the 5th defendant/Judgment Debtor has preferred this civil revision petition. Before the Executing Court, the 2nd defendant-decree holder filed Execution Petition praying to direct the Judgment Debtor/D5 to demolish the existing building morefully described in schedule property as ABCD as per decree in A.S.No.493 of 2013 dated 01.07.2014. On hearing both sides, E.P., was allowed. Aggrieved by that, D-5-Judgment Debtor filed this revision seeking to set aside the fair and decretal order dated 23.03.2026 passed in E.P.No.703 of 2017 in O.S.No.977 of 2013.

2. According to the revision petitioner, he had already initiated proceedings to purchase the shares of the other co-sharers at prevailing market value and as of now, some of the sisters are inclined to sell their shares. Therefore, he raised objection to the order passed by the Executing Court.

3. But on seeing the fact, learned counsel for the respondent/Decree Holder raised strong objection stating that already there was compromise between the parties, wherein, the revision petitioner had failed to comply with any of the terms and conditions of the compromise decree in A.S.No.493 of 2013 dated 01.07.2014. In the final decree passed in A.S.No.493 of 2013, there



was a compromise between the parties and the specific terms in clause (iii), (iv) to (vii) reads as follows:-

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“(iii) that the appellant herein/5th defendant N.Govindarajan do demolish the building in the property by vacating the tenant who occupied the said building and the appellant herein/5th defendant namely N.Govindarajan shall handover the vacant land measuring 46’ x 54’ morefully described in the annexed sketch jointly signed by the respondents herein/Plaintiff and defendants (1) to (4).

(iv) that there shall be no claim for any mesne profits either by the respondents herein/Plaintiff and (1) to(4) defendants against the appellant herein/5th defendant.

(v) that the appellant herein/5th defendant namely N.Govindarajan be and hereby is granted six months time from this date for vacating the tenant and after demolition of the existing building and handing over the vacant portion demarcated as ABC the sketch annexed hereto the respondents herein/Plaintiff defendants (1) to (4) jointly.

(vi) that the final decree proceedings taken by the respondent herein/Plaintiff in pursuance of the preliminary decree in the lower court do stand closed in view of the



final decree passed by consent before this court.

(vii) that there shall be no claim against each other. “

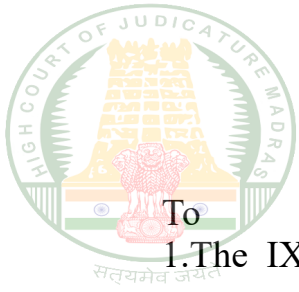
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The above terms of the compromise decree would go to show that the Revision petitioner agreed to vacate the premises after demolition and undertook to handover the portion as per the compromise entered into between the parties dated 01.07.2014. But the revision petitioner/Judgment Debtor is not inclined to comply with the said terms, which shows that he is attempting to drag on the proceedings and cause harassment to the other sharers of the property. In such view of the matter, there is no merit in the revision. The findings given by the Executing Court needs no interference. Parties are directed to cooperate for executing the decree.

4. This civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

05-06-2026

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



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To

1. The IX Assistant City Civil Court, Chennai.

2. The Section Officer, V.R. Section, High Court, Madras.



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T.V.THAMILSELVI J.

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