



WEB COPY

CRP No. 2909 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

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

**CRP No. 2909 of 2026
and CMP.No.11915 of 2026**

S.Prakash Chand
S/o. R.Sovan Raj,
Rep. by his next friend and Guardian,
P.Vinod,
No. 65, Chengalvarayan Street,
Triplicane,
Chennai 600 005.

..Petitioner(s)

Vs

E.Rama Naidu (deceased)

1. R.Navaneethamma
2. R.Seshaiah
3. M.Kumari
4. G.R.Arunachalam

..Respondent(s)

To set aside the order dt. 18.03.2026 passed in E.P. No. 1656 of 2024 in OS No. 1387 of 2015 by the XXVIIth Assistant City Civil Court, Chennai.

For Petitioner(s): Mr.S.Ramesh

For Respondent(s): Mr.S.Poovendran,
for Mr.R.Manickavel



ORDER

WEB COPY By consent of the learned counsel for the parties, the Civil Revision Petition itself is taken up for final disposal.

2. The learned counsel for the petitioner, states that as against the decree for specific performance, the first appeal was filed and an interim stay was also obtained and was in force for a period of two weeks. However, subsequently, the appeal was taken up for final hearing and hence, the stay application was closed. However, taking advantage of the stay application being closed, according to the learned counsel for the petitioner, the respondent has proceeded to execute the decree in his favour and now the Executing Court is in the process of passing final orders in the Execution Petition.

3. The learned counsel appearing for the respondents/caveators states that the stay application was closed only on account of non appearance of the petitioner/appellant before the First Appellate Court on the date assigned for enquiry in the stay application. He would therefore state that for the fault of the petitioner, the respondents cannot be blamed for initiating execution proceedings.



4. Be that as it may, it is seen that admittedly, the petitioner had the benefit of an interim order in the appeal for a period of two years and the appeal was ready for arguments, on the date of the stay application being closed.

5. In the light of the above, I am inclined to dispose of the Civil Revision Petition in the following manner:

- i) The pending AS.No.207 of 2023 on the file of IV Additional City Civil Court, Chennai, which has been reserved for judgment and posted for clarification, shall be disposed of, on or before 15.07.2026.
- ii) Till such time, E.P.No.1656 of 2024 on the file of the XXVII Assistant City Civil Court, Chennai, shall be kept in abeyance.

Consequently, connected miscellaneous petition is closed.

06-05-2026

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

To
1. IV Additional City Civil Court, Chennai
2. XXVII Assistant City Civil Court, Chennai



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P.B.BALAJI, J.

PVS

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