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CRP No. 2954 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 2954 of 2026
and CMP No.12217 of 2026**

1. J.Tamilselvan
S/o.Jaganathan, No.32/A, Kuppai Medu,
Erumapalayam Main Road, Kitchipalayam,
Salem -636 015.

Petitioner(s)

Vs

1. M.Rajendran,
S/o.Madura Pillai, No.32/A, Kuppai Medu,
Erumapalayam Main Road, Kitchipalayam,
Salem -636 015.

Respondent(s)

Civil Revision Petition filed under Article 227 of Constitution of India against the judgment and decree dated 22.04.2026 passed by learned Principal District Munsif (FAC), Salem in REP No.28 of 2022 in RCOP No.38 of 2013.

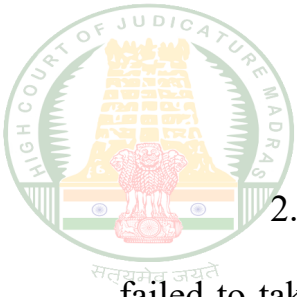
For Petitioner : Ms.Dipthi Munoth.A

For Respondent(s): Mr.B.Singaravelu
For Mr.V.Gopinath

ORDER

Challenging the order of delivery passed in REP No.28 of 2022 in RCOP No.38 of 2013, the tenant has preferred the above revision.

1/



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2. Learned counsel for the petitioner submits that the executing court has failed to take note of the fact about the validity of the Will dated 22.10.1992 and also other connected documents and the respondent, who has no right to claim the eviction proceedings has initiated the proceedings and obtained the order of delivery, which is challenged in this revision.

3. Learned counsel for the respondent submits that already this Court by order dated 30.01.2023 in CRP No.1108 of 2022 has ordered eviction and four weeks time was granted to vacate and hand over vacant possession. Thereafter, after disposal of CRP No.1108 of 2022, the respondent has filed E.P No.28 of 2022 and on hearing both sides, the executing court ordered for delivery and during May 2026. the revision petitioner has preferred the present revision challenging the order of delivery.

4. Heard the submissions of the learned counsel on either side and perused the materials available on record.

5. On perusal of the entire grounds, the revision petitioner has not stated about the order of eviction already passed by this Court in CRP No.1108 of 2022 dated 30.01.2023. But, the learned counsel for the petitioner submits that they have enclosed



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the order copy of CRP No.1108 of 2022 along with typed set of papers. But, on perusal of the grounds, the petitioner has not mentioned about the order passed by this Court in CRP No.1108 of 2022.

6. Admittedly, CRP No.1108 of 2022 was preferred by this revision petitioner, but suppressing that, the petitioner approached the present revision during the vacation which shows the malafide intention of the petitioner.

7. Therefore, I do not find any merit in this revision. Already eviction was ordered by this Court in CRP No.1108 of 2022.

8. In view of the above, the civil revision petition is dismissed with a cost of Rs.25,000/-(Rupees Twenty five thousand only). The petitioner is directed to pay Rs.25,000/-(Rupees Twenty Five Thousand Only) to the High Court Legal Services Authority, Chennai within 6 weeks.

15.06.2026

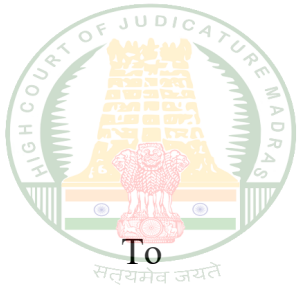
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Index:yes/no

Websiste:yes/no

Speaking Order/Non-speaking Order

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To

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The Principal District Munsif (FAC), Salem



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