



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3111 of 2026

and

CMP.No.13479 of 2026

1. Rajammal

W/o.Manickam, Pukkampatty Village
and Post, Mettur Tk, Salem Dist.

2. Alamelu

W/o. Muthu, Res. at Near Raja Theatre,
Mecheri, Mettur Taluk, Salem District.

3. Venkatachalam

S/o. Late Alagappan, Res. at
Pukkampatty, Pukkampatty Village and
Post, Mettur Taluk, Salem District.

4. Thangaraj

S/o. Maickam, Res. at Pukkampatty
Village and Post, Mettur Taluk, Salem
District.

Petitioner(s)

Vs

1. Parvathi

W/o. Chinnappu @ Chinnapayan, Res.
at Pukkampatty Village and Post,
Mettur Taluk, Salem District.
Muthammal (Died)

2.Rajappa

S/o. Late Alagappan, Res. at ,
Pukkampatty Village and Post, Mettur
Taluk, Salem District.



3. Madhammal

W/o. Rasappan, Res. at , Bukkampatty
Village and Post, Mettur Taluk, Salem
District.

4. The President

Pukkampatti Panchayath, Pukkampatti
Village, Mettur Taluk, Salem District.

5. The District Collector
Salem, Salem District.

6. The Tahsildar,
Mettur, Mettur Taluk, Salem District.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the Docket order dated 30.4.2026 made in EA.SR.No. 1434/2026 in EP.No. 31/2023 in OS.No. 220/2000, on the file of the Court of the District Munsif, Mettur, Salem District.

For Petitioner(s): MR.C.Parthiban

For Respondent(s):

ORDER

The petitioner herein filed an application, EA.SR.No. 1434/2026 in EP.No. 31/2023 in OS.No. 220/2000, on the file of the Court of the District Munsif, Mettur, Salem District, under Section 47 CPC. The same was rejected by the trial Court on the ground that a delivery order had already been passed. Aggrieved by the said order, the present revision has been filed.

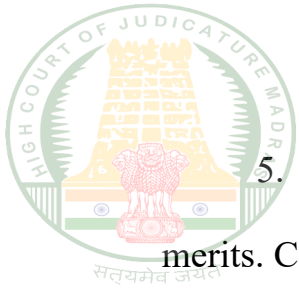
2. On a perusal of the records, it is seen that the decree passed in O.S. No.220 of 2000 has already attained finality. The same was confirmed in S.A.



No.446 of 2006. The Special Leave Petition filed against the said judgment in Special Leave to Appeal (c) No. 14290 of 2019 was also dismissed, thereby confirming the findings of the Courts below. Consequently, the decree holder filed an Execution Petition for execution of the decree.

3. At this stage, the revision petitioners/defendants 2 and 4 to 6 filed an application under Section 47 CPC before the executing Court, raising objections regarding the executability of the decree by contending that the decree for mandatory injunction was barred by limitation as the decree holder had not approached the Court within three years. However, all these grounds had already been raised before the trial Court as well as the appellate Court and were negatived. Thereafter, the second appeal was also dismissed confirming the findings of the Courts below.

4. The petitioners have once again raised the very same objections by filing the application under Section 47 CPC. Therefore, the executing Court has rightly rejected the application and the same requires no interference. It is also seen that the decree holder had already filed an application seeking removal of the construction and superstructure, and the same was allowed by the executing Court.

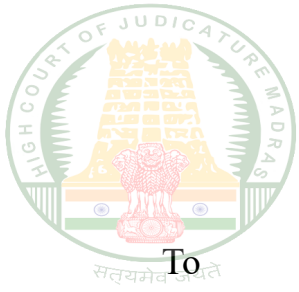


5. Accordingly, this Civil Revision Petition is dismissed as devoid of merits. Consequently, the connected miscellaneous petition is closed. No costs.

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

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Mettur, Mettur Taluk, Salem District.

7.The District Munsif, Mettur, Salem
District.

8.The Section officer,

VR Section, High Court of Madras.



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T.V.THAMILSELVI J.
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