



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

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

CRP No. 2465 of 2025

1. Kandaswamy
S/o. Nanjappa Gounder, No.79, T.G.Pudur,
M.K.Pudur(Post), Karamadi, Mettupalayam,
Coimbatore
2. kANGAMANI
W/o. Kandaswamy, No.79, T.G.Pudur,
M.K.Pudur(Post) Karamadai, Mettupalayam,
Coimbatore

..Petitioner(s)

Vs

1. Kannappan
S/o. Madaya Gowder, No.78/90, T.G.Pudur,
M.K.Pudur(Post), Karamadai, Mettupalayam,
Coimbatore
2. Gandhimathi
W/o. Kannappan, No.78/90, T.G.Pudur,
M.K.Pudur(Post) Karamadai, Mettupalayam,
Coimbatore

..Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order dated 04-06-2025 passed in I.A.No.1/2025 in A.S.No.39/25 on the file of the Honourable I Additional District court, Coimbatore

For Petitioner(s): MR.D.Ashokkumar

For Respondent(s): MR.S. Rajmakesh



ORDER

Challenging the impugned order passed by the Trial Judge in I.A.No.1 of 2025, the appellants have preferred the present revision.

2. The appellants filed an application before the First Appellate Court seeking to stay the operation of the decree and judgement passed in O.S.No.42 of 2023. However, the said application was dismissed by the Trial Judge holding that the petitioners had not made out as to how they would be affected by the said decree. Aggrieved by the same, the present revision has been filed.

3. On a perusal of the records, it is seen that the appellants filed the said application before the First Appellate Court contending that the suit filed by the respondents in O.S.No.42 of 2023 was one for declaration and other reliefs, and sought to stay the proceedings. However, no valid reasons were assigned as to why the operation of the decree should be stayed.

4. If at all the appellants have any remedy, they have to work out the same in the appeal proceedings. They are not entitled to seek stay of the operation of the decree passed by the Sub Court in O.S.No.42 of 2023.



5. Therefore, the Court below has rightly dismissed the application, which requires no interference by this Court. Accordingly, this civil revision petition stands dismissed as not maintainable. No costs.

28-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MPA

To

1. The I Additional District court, Coimbatore.
2. The Section Officer, VR section,
High Court of Madras.



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CRP No. 2465 of 2



T.V.THAMILSELVI, J.

MPA

CRP No. 2465 of 2025

28-04-2026