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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 3711 of 2026 and
CMP No.16110 of 2026

CNR: {HCMA011286192026}

Case QR

P.Mariappan, s/o Palani,
No.44/1, Bajanai Koil Street,
Muthurangan Salai,
T.Nagar, Chennai- 600 017.

..Petitioner(s)

Vs

1. V.Sripriya, W/o Vinoth,
   D/o S.Lakshmanan,
   residing at No.44/1, Bajanai Koil Street,
   Muthurangan Salai, Kannammapet,
   T.Nagar, Chennai- 600 017.

2. L.Sri Revathy,
   D/o S.Lakshmanan,
   residing at No.44/1, Bajanai Koil Street,
   Muthurangan Salai, Kannammapet,
   T.Nagar, Chennai- 600 017.

3. Kanchana,
   No.20, Periyar Nagar,
   Extension, Urapakkam,
   Chengalpattu.601 301.

..Respondent(s)

Prayer: Civil Revision Petition is filed under Section 115 of CPC to set aside the order dated 29.04.2026 passed in E.P.No. 1202 of 2026 in O.S.No. 3240 of 2022 on the file of the XXVII Assistant City Civil Court at Chennai.

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For Petitioner(s): Mr. V.K.Kavin
for Ms. G.Prabhavathi

For Respondent(s): Mr. M.Karthik
for R1 and R2

ORDER

This Civil Revision Petition has been filed challenging the delivery order passed by the Executing Court in E.P.No. 1202 of 2026 in O.S.No. 3240 of 2022 on the file of the XXVII Assistant City Civil Court at Chennai.

2. The respondents 1 and 2 herein / plaintiffs filed a suit in O.S.No.3240 of 2022 on the file of XXI Assistant Judge, City Civil Court, Chennai for recovery of possession against the petitioner and obtained a decree on 26.03.2025. Since the petitioner failed to comply with the decree, an Execution Petition in E.P.No.1202 of 2026 has been filed by the respondents 1 and 2 to execute the decree and the same was ordered on 29.04.2026. Aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner would submit that challenging the judgment and decree passed by the Trial Court in O.S.No.3240 of 2022, the petitioner filed an appeal in A.S.No.403 of 2026 and the same is pending on the file of II Additional District Judge, City Civil Court, Chennai. It is further submitted by the learned counsel for the petitioner that already the petitioner

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filed an application in IA.No.4 of 2026 seeking stay along with the appeal, in which notice has been ordered. He also submitted that the next date of hearing is 02.12.2026 before the first appellate court.

4. In the light of the fact that the stay application is pending before the first appellate court, this court is inclined to direct the II Additional District Judge, City Civil Court Chennai to pass final orders in the stay application in I.A.No.4 of 2026 in A.S.No.403 of 2026 on or before 22.12.2026. Till the disposal of the said stay application, the impugned order passed by the Executing Court is kept in abeyance.

5. With the above directions, this civil revision petition is disposed of. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

20-11-2026

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

MST

To

1. The II Additional District Judge,
   City Civil Court, Chennai.

2. The XXVII Assistant Judge,
   City Civil Court, Chennai.

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S.SOUNTHAR, J.

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