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CRP Nos. 5614 and 3735 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

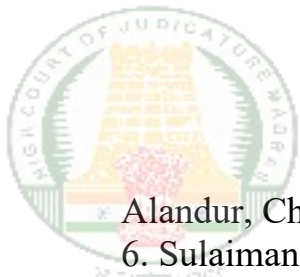
THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP Nos. 5614 and 3735 of 2025

and

CMP Nos.19896 and 28122 of 2025

1. Pappammal (Deceased), 1.Veeramuthu
S/o. Raju Nadar, Res. at No.37, Madhava
Perumal South Street, Madhavapuram,
Alandur, Chennai 600016. Chenthamarai
alias Fathima (Deceased), Azeez
(Deceased) and 7 Others
2. Lakshmi
W/o. Gajendran, Res. at No.37, Madhava
Perumal South Street, Madhavapuram,
Alandur, Chennai 600016.
3. Chandranila
D/o. Raji, Res. at No.37, Madhava Perumal
South Street, Madhavapuram, Alandur,
Chennai 600016.
4. Yakub Ali
S/o. Late Azeez, Res. at No.37, Madhava
Perumal South Street, Madhavapuram,
Alandur, Chennai 600016.
5. Beer Mohamed
S/o. Late Azeez, Res. at No.37, Madhava
Perumal South Street, Madhavapuram,



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Alandur, Chennai 600016.

6. Sulaiman

S/o. Late Azeez, Res. at No.37, Madhava
Perumal South Street, Madhavapuram,
Alandur, Chennai 600016.

7. Mastan

S/o. Late Azeez, Res. at No.37, Madhava
Perumal South Street, Madhavapuram,
Alandur, Chennai 600016.

8. Aisha

D/o. Late Azeez, Res. at No.37, Madhava
Perumal South Street, Madhavapuram,
Alandur, Chennai 600016.

Petitioner(s)

Vs

1. Arumugam

S/o. Elumalai Nadar, No.E17, 16th Cross
Street, Besant Nagar, Chennai 600090

2.Madhava Perumal Devasthanam

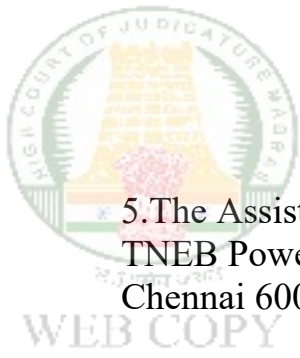
Rep. by its Executive Officer, Mylapore,
Chennai 600004.

3.The Commissioner

Alandur Municipality, Chennai 600016.

4.The Assistant Engineer, MES

TNEB Power House, MKN Road, Alandur,
Chennai 600016.



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5.The Assistant Executive Engineer, MES
TNEB Power House, MKN Road, Alandur,
Chennai 600016.

Respondent(s)

CRP No. 3735 of 2025

Veeramuthu
S/o.Raju Nadar, No.37 Madhava Perumal
South Street, Madhavaram, Alandur,
Chennai - 600 016. Pappammal (deceased).
AND 7 OTHERS

Petitioner(s)

Vs

Arumugam
S/o.Elumalai Nadar, No.E17, 6th Cross
Street, Besant Nagar, Chennai - 600 090.
AND 4 OTHERS

Respondent(s)

CRP No.3735 of 2025:

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 26.03.2024 made in I.A.No.824 of 2021 in O.S.No.104 of 1990 by the Principal District Munsif Judge, Alandur.

CRP No.5614 of 2025:

Civil Revision Petition filed under Section 115 of Civil Procedure Code against the fair and decreetal order dated 07.01.2025 made in EP No.123 of 2012 in



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O.S.No.104 of 1990 made by the Principal District Munsif Judge, Alandur.

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For Petitioner(s): S.Murali Krishnan

For Respondent(s): T.M.Hariharan
For R.1
Mr.S.T.Raja
Standing Counsel
For R.4 & R.5
Mr.B.Tamil Nidhi
AGP
For R.3

COMMON ORDER

CRP No.3735 of 2025:

Heard Mr.S.Muralikrishnan, learned counsel for the petitioner and Mr.T.M.Hariharan, learned counsel for the first respondent.

2. The petitioners are the judgment debtors having suffered a decree before Principal District Munsif Court, Alandur in O.S.No.104 of 1990. The suit was filed by the first respondent for declaration and recovery of possession of “D” and “E” of the suit



schedule property.

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3. The decree has become final admittedly and execution petition was filed for recovery of possession. In the execution petition, finding that the decree did not contain correct description of Schedule “D” property, an application in I.A.No.824 of 2021 was filed by the 1st respondent to amend the decree. The said application has been allowed by the trial court, **as against which CRP No.3735 of 2025 has been filed.**

4. Subsequently, the executing court has proceeded to pass final orders in the execution petition, ordering delivery as against which, **CRP No.5614 of 2025 has been filed.**

5. The grievance of the petitioners is that the petitioners are the owners of the property which is now attempted to be proceed against and the properties are bearing distinct door numbers. He further states that since the decree has been passed exparte the bailiff cannot identify the property without the assistance of the local Taluk Surveyor.



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6. Per contra, Mr.T.M.Hariharan, learned counsel appearing for the first respondent/decree holder would state that the decree has admittedly become final and the decree did not identify the property in Schedule “D” correctly in line with the plaint schedule and hence the petitioners were constrained to take out I.A.No.824 of 2021 and the trial court has rightly allowed the said application finding that it was a mistake in depicting the “D” schedule as “ south eastern” instead of “ south western”. Pursuant to the same, the decree has also been amended and the executing court has ordered delivery. Having allowed the decree to be final, it is not open to the petitioners today to contend that the first respondent is not entitled to satisfaction of the execution of the decree.

7. The only apprehension of the petitioners is that under the guise of taking possession of the decreetal property in schedule “D” and “E”, the property of the petitioners should not be in any manner proceeded against.

8. In the light of the above, I do not see any merit in the grounds of revisions



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filed by the petitioners. The apprehension of the petitioners can be sufficiently safeguarded by suitable directions. Therefore, both the civil revisions petitions are dismissed. A direction to the executing court, in the event of delivery not being effected already, to direct the bailiff to be assisted by the local Taluk Surveyor to identify the decreetal property in Schedule “D” and “E” properties and hand over the same to the first respondent/deGREE holder.

9. The petitioners shall cooperate with the exercise of identification of Schedule “D” and “E” property by the Taluk Surveyor assisted by the bailiff. The entire exercise shall be completed by 31.03.2026.

No costs. Consequently, connected miscellaneous petitions are dismissed.

26.02.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-Speaking Order



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P.B.BALAJI,,J

sr

To

The Principal District Munsif, Alandur

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26.02.2026