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CRP No. 2443 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2443 of 2026

1. M. Mani

S/o. Late. Manikkam, No.6, Durgai Amman
Koil St, Lali Kuppam Village, Ammoor
Post, Walaja Taluk, Ranipet Dt.

Petitioner(s)

Vs

1. The State of Tamil Nadu

Rep by District Collector. Ranipet District,
Ranipet (Previously Vellore District,
Vellore).

2.Assistant Director

Rural Development and Panchayat Raj
Department, Ranipet (Previously Vellore).

3.The Special Tahsildar

Adi Dravidar Welfare, Walajapet.

4.The Block Development Officer
Walajapet.

5.The President

Kamelkuppam Village Panchayat,
Kamelkuppam.

Respondent(s)

Civil Revision Petition filed under Section 115 of Civil Procedure Code to set aside the impugned order passed by the District Munsif cum Judicial Magistrate No.I, Walajapet in EP No.23 of 2022 in O.S.No.30 of 2015.



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For Petitioner(s): Mr.V.S.Jagadeesan

For Respondent(s): Ms.S.Yogalakshmi
AGP

ORDER

Challenging the dismissal order passed in EP No.23 of 2022 in O.S.No.30 of 2015 dated 28.07.2025, the decree holder has preferred the present revision.

2. Learned counsel for the revision petitioner submits that before the Executing Court, the petitioner/Decree Holder filed a petition in EP No.23 of 2022 under Order XXI Rule 32 of Civil Procedure Code to punish the respondents for wilful act of disobedience of the court's decree passed in O.S.No.30 of 2015 dated 04.01.2016 and to send the respondents to the detention in civil prison or by attachment of properties or by both. Learned counsel for the petitioner further submits that after obtaining decree, the defendants caused interference, but the trial Court failed to take note of the same and dismissed the execution petition holding that the Exs.P.1 to P.11 are related only in respect of Survey Nos.104, 110/2, Kalmelkuppam Village, Walaja and not pertaining to Survey No.101/13, Kalmelkuppam Village, Walaja and therefore,



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there is no question of contempt arises against the judgment debtors/defendants.

Aggrieved by the same, the present revision has been filed/

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3. The learned Additional Government Pleader appearing for the respondents submits that she took charge of the proceedings only now and therefore, she wants to get instructions.

4. I have perused the materials available on record.

5. As on date, the decree holder obtained a decree in respect of Survey No.101/13 and he also produced some photographs with regard to laying of pipe lines by the respondents. To that effect, the respondents have not submitted any reply before the Executing Court.

6. In view of the above, this Court is inclined to set aside the order of dismissal passed by the Executing Court in EP No.23 of 2022 and restore EP No.23 of 2022 to file.



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sr

7. The Executing Court is directed to give notice to all the respondents and after getting instructions from the respondents, the executing court is directed to dispose of E.P.No.23 of 2022 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

With the above direction, the civil revision petition is allowed. No costs.

03.06.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The District Munsif cum Judicial Magistrate No.I,
Walajapet

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