



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 5898 of 2025

and

CMP No.29128 of 2025

1. G.K.Venkataraman
S/o. Late Govindasamy,
No.73/70, Avoor Muthaiah Street,
New Washermenpet,
Chennai 600 081.

2. Annapurani
D/o. Late.Govindasamy
W/o. Ravisankar,
No.25/127, Mettu Street,
Ambedkar Nagar, Thiruvottiyur,
Chennai 600 019.

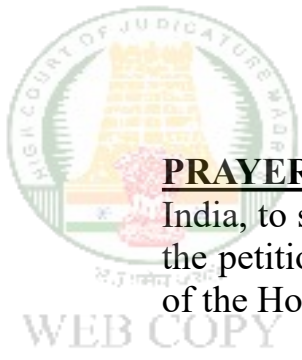
Petitioner(s)

Vs

1. R.Rajendran
S/o. Late.P.Ramachandran,
New No.38, Old No.136,
Pidariyar Koil Street, Chennai 600 001.

2.G.Muthukumar
S/o. Late.Govindasamy,
No.73/70, Avoor Muthaiah Street,
New Washermenpet, Chennai 600 081.

Respondent(s)



PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order for returning the application, dt. 25.10.2025 filed by the petitioners in E.A Sr No. 74331 of 2025 in E.P. No. 418 of 2025 on the file of the Honble X Assistant City Civil Court, Chennai.

For Petitioner(s): Mr.B.David

For Respondent(s): Mr.P.Rajkumar Pandian for R1
No appearance-R2

ORDER

Heard the learned counsel for the parties.

2. The present revision petition has been filed, challenging the return of application in E.A.Sr.No.74331 of 2025 filed under Order 21 Rule 26 and 29 read with Section 151 of Code of Civil Procedure.

3. It is fairly brought to my notice by the respondent/decreed holder that subsequently on 15.12.2025, the execution petition has been dismissed, giving liberty to the decree holder to file a fresh execution petition subsequent to the disposal of O.S.No.6381 of 2025 on the file of XVII Additional City Civil Court, Chennai.

4. The learned counsel for the decree holder would therefore state that nothing survives for consideration in the present revision, which is only challenging the return of application under Order 21 Rule 26 and 29 r/w Section 151 of Code of Civil Procedure, pending the revision petition.



5. The learned counsel for the revision petitioner also acknowledges the said fact that the Execution petition has been dismissed on 15.12.2025.

6. In the light of the above, nothing survives for consideration in the revision. However, the dismissal of the Execution Petition shall not come in the way of the respondent/decreed holder, seeking to execute the judgment and decree passed subject to being successful in O.S.No.6381 of 2025 pending on the file of XVII Additional City Civil Court, Chennai. At the same time, having obtained the decree, the respondent cannot be made to wait endlessly and hence, in the interest of justice, this Court directs the XVII Additional City Civil Court, Chennai, to dispose of O.S.No.6381 of 2025 expeditiously at any rate, within a period of six (6) months from the date of completion of service of summons.

7. With the above observation and direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

05-01-2026

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



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P.B.BALAJI J.
jd

To
X Assistant City Civil Court, Chennai.

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