



CRP No.6313 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.6313 of 2025

C.Jayaraman

.... Petitioner

Vs.

1.Mrs.Ammami Ammal

A.V.Dayasekaran (deceased)

Dhanalakshmi (deceased)

2. Vijayaraghavan

3.Srinivasan

4.Suganya

.... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to dispose EP No.302 of 2013 including the connected miscellaneous application viz., E.A.No.9 of 2015 on the file of Court of Registrar, Small Causes at Chennai at an early date.

For Petitioner : Mr.P.L.Narayanan



WEB COPY

CRP No.6313 of 20__



ORDER

The Revision is filed to dispose to dispose EP No.302 of 2013 including the connected miscellaneous application viz., E.A.No.9 of 2015 on the file of Court of Registrar, Small Causes at Chennai at an early date.

2. In view of the limited prayer sought for in this revision, notice to the respondent is not necessary.

3. The petitioner is the decree holder, Execution Petition having been filed for realising the fruits of the decree in ejectment suit in E,J,Suit No.6 of 1987.

4. Learned counsel for the petitioner states that execution petition was filed in the year 2013 and has been pending for 12 years.

5. In view of the recent pronouncement of the Hon'ble Supreme Court directing all the Execution Petitions to be disposed of within a period of six months and also taking into account the pendency of the execution



CRP No.6313 of 20--

petition, I direct the Registrar, Small Causes Court, Chennai to dispose of
E.P No.302 of 2013 together with E.A No.9 of 2015 on or before
27.02.2026.

6. With the above direction, the civil revision petition is disposed of.

No costs.

19.01.2026

sr

Index:yes/no

Internet:yes/no

Speaking Order/Non-Speaking Order

Neutral Citation: Yes/No

To

The Registrar,
Court of Small Causes,
Chennai



WEB COPY



CRP No.6313 of 20_

P.B.BALAJI,,J

sr

CRP No.6313 of 2025

19.01.2026



CRP No.6313 of 20__

CRP.No.6313 of 2025

P.B. BALAJI,J.

WEB COPY

The Civil Revision Petition is listed under the caption “for clarification” at the instance of Mr.Umesh Rao.K.

2. I have heard Mr.P.L.Narayanan, learned Senior Counsel for the petitioner and Mr.Umesh Rao.K, learned counsel for the third respondent.

3. Mr.Umesh Rao.K, learned counsel appearing for the third respondent / Judgment Debtor would submit that the decree is in executable and an application filed under Section 41 of the Presidency Small Cause Courts Act, 1882, is not maintainable and the decree cannot be executed by the Registrar of Small Causes at Chennai. He therefore states that besides the objection under Section 47, he would also object to the very maintainability of EP No.302 of 2013 itself. He would further submit that the direction to dispose of the E.P by the end of this month, is practically not possible, since the Registrar, Small Causes Court, Chennai who is handling the matter sits only an hour every day. He would therefore state that the time may be suitably extended for disposal of the E.P.



4. Per contra, Mr.P.L.Narayanan, the learned Senior Counsel appearing for the petitioner would state that there is no difficulty in the Registrar, Small Causes Court, Chennai deciding the Execution petition. He would also point out that fairly the petitioner had brought to the notice of this Court that the Section 47 application (E.A No.9 of 2015) was very much pending and this Court, by passing the order, had directed the Registrar, Small Causes Court, Chennai to dispose of E.P. along with Section 47 application as well. He would therefore state that no modification is required to the order dated 19.01.2025.

5. I have carefully considered the submissions advanced by the learned counsel on either side.

6. The objection with regard to the executability of the decree or even maintainability of the EP are legal issues that can be canvassed before the Registrar, Small Causes Court. When this Court under Article 227 has directed the Registrar, Small Causes Court, Chennai to dispose of the E.P. and Section 47 application by 27.02.2026, it is for the Registrar, Small Causes Court to accordingly adjust his Court schedule, apart from his administrative duties and ensure that a fair hearing is given to both parties.



CRP No.6313 of 20__

If at all, the Registrar has any problem in disposing of the matter as directed by this Court, it would always be open to the Registrar, Small Causes Court, Chennai to seek for extension and it is not for the Judgment Debtor to make a mention and seek for a modification. It is however, made clear that in view of the direction issued by this Court to dispose of the Section 47 application (E.A No.9 of 2015) and EP No.302 of 2013 by 27.02.2026, the Registrar, Small Causes Court, Chennai shall not conduct proceedings in any undue haste & shall give a fair hearing to both the parties before disposing of the matters on merits and in accordance with law as directed by this Court in the Order dated 19.01.2026.

7. The Registrar, Small Causes Court shall report compliance to this Court, on or before 04.03.2026.

06.02.2026

vum

To

The Registrar,
Court of Small Causes,
Chennai

7/8



WEB COPY



CRP No.6313 of 20_

P.B.BALAJI.,J

vum

CRP No.6313 of 2025

06.02.2026