



CRP No. 6306 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 6306 of 2025 and CMP No.31267 of 2025

1. P.Mani
2. Geetha

Petitioner(s)

Vs

V.Geetha

Respondent(s)

For Petitioner(s): M/s. K.Dhananjayan

For Respondent(s): Mr.D.Prabhu Mukunth Arun
Kumar

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 17.10.2025 passed in E.P. No.120 of 2023 in O.S. No.71 of 2014 on the file of the II Additional District and Sessions Judge at Poonamallee.



CRP No. 6306 of 2025

WEB COPY

ORDER

Heard the learned counsel for the parties.

2. Learned counsel for the petitioners states that the petitioners are facing the risk of being thrown out from the property and an appeal in A.S.No.647 of 2025 is pending and the appeal is ready for arguments. The learned counsel would therefore seek for some interim protection.

3. Learned counsel for the respondent, however state that despite preferring appeal before this court and also taking out 2 miscellaneous petitions pending appeal, the petitioner never chose to seek for interim stay under Order 41 Rule 5 of Civil Procedure Code. He would therefore state that there is no merit in the revision and the revision petition is liable to be dismissed.

4. I find force in the submission of the learned counsel for the respondent.

5. The petitioner has not even attempted to seek interim stay of the decree for recovery of possession passed by the trial court with the pending appeal before this



CRP No. 6306 of 2025

Court. Therefore, there is absolutely no infirmity in the order of the executing Court which is now challenged by way of revision under Article 227 of the Constitution of India warranting interference.

6. I do not find any merit in the revision. However, in order to give one indulgence to the petitioner, it is made clear that the executing court shall keep the warrant in abeyance for a period of two weeks from the date of receipt of a copy of this order to enable the petitioner to move this Court in A.S.No.647 of 2025 and seek any interim protection, failing which, there shall be no impediment for the executing court to proceed with the matter.

7. With the above observation, the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

09.02.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The II Additional District and Sessions Judge, Poonamallee



WEB COPY



CRP No. 6306 of 2025

P.B.BALAJI,,J

sr

CRP No. 6306 of 2025

09.02.2026