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CRP No. 807 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 807 of 2026 and CMP No.4329 of 2026

1. S.Aruchamy
S/o. Subbannan, Door No.8/13B, NGR
Puram, Ondipudur Road, Irugur,
Coimbatore-641 103.

Petitioner(s)

Vs

1. M.Ramakrishnan
S/o. Madhavan, 65/115, SRT Layout,
Singanallur, Coimbatore-641 005.

2.M.Manoharan
S/o. Madhavan, 106/2, 15, Mahatma Gandhi
Nagar, Nanda Nagar, Singanallur,
Coimbatore-005.

Respondent(s)

Revision filed under Section 115 of Civil Procedure Code against the docket order dated 13.11.2025 passed in E.A.C.F.R.No.30989/2025 filed under Section 47 of Civil Procedure Code in E.P.No.24 of 2014 in O.S.No.243 of 2009 on the file of II Additional Subordinate Court, Coimbatore.

For Petitioner(s): C.Deivasigamani

For Respondent(s): M/S. L.Mouli
For R.1 & R.2



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ORDER

Aggrieved over the dismissal of the docket order dated 13.11.2025 passed in E.A.C.F.R.No.30989/2025, the judgment debtor has preferred the above revision.

2. Learned counsel for the revision petitioner submits that in the Execution Petition, the respondents/decreed holders have not mentioned proper Survey Number and also description of the property, without which, they attempted to take delivery of the property. Therefore, the judgment debtor has filed an application in E.A.C.F.R.No.30989/2025 under Section 47 of Civil Procedure Code. The executing court dismissed the application. Aggrieved by the same, the judgment debtor has filed the present revision. The trial court has held that the petitioners are the defendants in the suit and they have participated in the suit proceedings as well as in the execution proceedings in EP No.24/14 and the sale deed has also been executed through Court of law and dismissed the application. Aggrieved over the same, the present revision has been filed.

3. On perusal of the records, it is seen that the grievance of the revision petitioner is that the decree holders have not correctly described the suit property



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without which they are not entitled to take the property. But on perusal of the parent sale deed 17.09.2003 as well as the sale deed executed through Court of law dated 17.10.2016, it is found that the properties found in the parent sale deed as well as the sale deed executed through court of law are one and the same and there is no discrepancy in respect of boundaries and the survey numbers.

4. Based on the sale deed, the decree holders filed execution petition in E.P.No.24 of 2014, , wherein, the description of the property was correctly mentioned along with boundaries and also the extent of the properties. Therefore, the boundary description, extent of the property and the survey numbers are one and the same and there is no discrepancy as alleged by the petitioner/judgment debtor.

5. In view of the above, the rejection order made by the trial Judge requires no interference. Therefore, the civil revision petition is dismissed.

6. It is submitted by the learned counsel for the respondents/decreed holders that since the judgment debtor is causing hurdle to execute the decree, the respondents/decreed holders are not able to execute the decree.



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T.V.THAMILSELVI.,J

sr

7. Since the suit is of the year 2009. the trial court is directed to dispose of E.P.No.24 of 2014 on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

No costs. Consequently, connected miscellaneous petition is closed.

05.06.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The II Additional Subordinate Court, Coimbatore

CRP No. 807 of 2026