



C.R.P.(MD)No.203 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.203 of 2026

and

C.M.P.(MD)No.798 of 2026

Raja Muthaiah

... Petitioner

-VS.-

1.Janaki

2.G.Dhanapal

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the order, dated 03.12.2025 in E.P.No.79 of 2021 in O.S.No. 67 of 1992 on the file of the Principal District Munsif Court, Tirunelveli.

For Petitioner :Mr.D.Vijay Antony



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ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned Principal District Munsif, Tirunelveli, in E.P.No.79 of 2021 in O.S.No.67 of 1992, dated 03.12.2025.

2.Heard Mr.D.Vijay Antony, learned Counsel for the Revision Petitioner.

3.The learned Counsel for the petitioner submitted that originally, the respondents herein have filed a suit in O.S.No.67 of 1992 before the Principal District Munsif Court, Tirunelveli, for declaration and for other reliefs against the petitioner herein. The said suit was dismissed by the trial Court on 26.09.2003. Aggrieved by the same, the respondents herein have filed an appeal in A.S.No.2 of 2004 before the Principal Subordinate Court, Tirunelveli and the judgment and decree of the trial Court was confirmed. In the Second Appeal preferred by the respondents before this Court in S.A.(MD)No.161 of 2008, this Court, vide judgment, dated 31.08.2020, had allowed the Second Appeal and decreed the suit in favour of the respondents. Thereafter, the



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petitioner has filed an appeal in Special Leave to Appeal (Civil)Nos.15074 of 2020 and 1206 of 2021 before the Hon'ble Supreme Court, which was dismissed on 08.09.2021. Thereafter, the respondents herein have filed an Execution Petition in E.P.No.67 of 2021 before the Principal District Munsif Court, Tirunelveli and the same was allowed on 17.08.2025. Challenging the said order, the petitioner herein preferred a revision before this Court in C.R.P(MD)No.3275 of 2025, which was also dismissed by this Court by order, dated 14.11.2025. Thereafter, while executing the warrant issued by the Executing Court, the Court appointed ameena has returned the warrant by stating that there is a different in the four boundaries. Challenging the said return of warrant, the present Civil Revision Petition has been filed.

4.Considering the submissions made by the learned Counsel for the petitioner, this Court is of the view that whatever the grounds raised by the petitioner, the same can be filed by way of an application before the trial Court and the same would be considered by the trial Court. Hence, it is open to the revision petitioner to file an application for appointment of Advocate Commissioner to identify the property along with the surveyor.



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5. With the above direction, this Civil Revision Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

27.01.2026

Internet : Yes/No
NCC : Yes/No
Index : Yes/No

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To

The Principal District Munsif, Tirunelveli.



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N.SENTHILKUMAR, J.

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