



CRP(MD). No.352 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.352 of 2026
and CMP(MD).No.1599 of 2026

1.Chinnasamy
2.Chellaiya

... Petitioners

Vs.

Bakkir Magumuthal @ Bakkir Mukamathal

... Respondent

PRAYER :-Civil Revision Petition filed under Section 115 of the Civil Procedure Code, to call for the records pertaining to order in EA No.3 of 2025 in EP No.8 of 2025 in OS No.102 of 2023 dated 08.12.2025 on the file of the learned Principal District Munsif of Tenkasi and set aside the same

For Petitioner : Mr.G.Balaji

ORDER

This civil revision petition has been filed to set aside the order in EA No. 3 of 2025 in EP No.8 of 2025 in OS No.102 of 2023 dated 08.12.2025 on the file of the learned Principal District Munsif of Tenkasi.

2.The case of the revision petitioner is that he is a tenant in respect of the petition-mentioned property and that one of the landlords was not impleaded as



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a party to the suit. However, the suit came to be decreed ex parte.

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3.The suit in O.S. No. 102 of 2023 was filed on 24.04.2023, and an ex parte judgment and decree was passed on 18.01.2024. Thereafter, execution proceedings were initiated in E.P. No. 8 of 2025. The revision petitioner filed a claim petition in E.A. No. 3 of 2025 on 31.07.2025. Though a counter was filed, the petitioner subsequently remained ex parte, and consequently, the claim petition was dismissed by an ex parte order dated 08.12.2025. Challenging the same, the present revision has been filed.

4.The learned counsel for the petitioner contended that the petitioner is a tenant under the respondent and that the decree passed without impleading the necessary parties is not sustainable.

5.This Court directed the learned counsel for the petitioner to produce the rental agreement to establish the alleged landlord–tenant relationship. However, the documents produced, namely the typed set of papers dated 16.02.2026, reveal lease agreements dated 01.08.2024 in the names of the petitioners. The said documents do not establish a landlord–tenant relationship between the petitioner and the respondent herein. On the contrary, they only indicate that



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the petitioner claims possession as a lessee through other arrangements, the details of which have not been properly substantiated.

6.In the absence of any material to prove the existence of a landlord–tenant relationship, the contention of the petitioner cannot be accepted. Further, the petitioner having remained ex parte before the Executing Court cannot now seek to reopen the matter without sufficient cause.

7.This Court finds no illegality or material irregularity in the order passed by the Executing Court.

8.Accordingly, this Civil Revision Petition is dismissed as devoid of merits. No costs. Consequently, connected miscellaneous petition is closed.

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

16.02.2026

TM

To

1.The Principal District Munsif, Tenkasi.

2.The Section Officer,

3/4



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E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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N.SENTHILKUMAR, J.

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