



C.R.P.(MD) No.1069 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2026

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**C.R.P.(MD) No.1069 of 2026
and
CMP(MD) No.4984 of 2026**

A.Murugesan

... Petitioner

vs.

P.Karuppaiah Pillai (Died)

K.Thadagathi Ammal (Died)

1.Sakunthala

2.Sulochana

3.Chellapandian

4.Santhi

5.Alexander

6.S.Murugesan

... Respondents

PRAYER: Petition filed under Section 115 of Civil Procedure Code, to stay the delivery proceedings in E.P.No.14/2025 dated 17.03.2026 passed in O.S. No.288/1996 on the file of the Principal District Munsif, Thirumangalam, Madurai till the disposal of appeal in A.S.No. 46 of 2009 pending before the Sub Court, Thirumangalam, Madurai.



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For Petitioner : Mr.L.M.Vijai Boominathan

ORDER

The prayer in this revision is absolutely misconceived. The suit in O.S.No. 288 of 1996 was decreed by the learned Principal District Munsif Judge at Thirumangalam, Madurai. The defendants filed an appeal in A.S.No.46 of 2009 before the learned Subordinate Judge at Thirumangalam.

2.The learned counsel reports that an application for stay was filed before the learned Subordinate Judge and the same was dismissed. However, instead of challenging that order, this revision has been presented, seeking stay of delivery of the EP, pending disposal of the appeal.

3.I am not aware of any provision of law, whereby the High Court can be converted as a Subordinate Court and thereby grant stay of a proceeding, pending disposal of the appeal before the Subordinate Court. If the civil revision petitioner is facing delivery proceedings, the remedy for him is before the appellate Court and not before this Court, invoking the power of revision.



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WEB COPY 4.The Civil Revision Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

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

10.04.2026

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To

1.The Subordinate Judge, Thirumangalam, Madurai.

2.The Principal District Munsif, Thirumangalam, Madurai



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V. LAKSHMINARAYANAN, J.

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