



C.R.P.(MD)No.3935 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.3935 of 2025

and

C.M.P.(MD)No.20537 of 2025

A.Chandrasekar

... Petitioner

-VS.-

S.A.Subburaj

...Respondent

PRAYER: Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure, to set aside the fair and decreetal order passed in E.A.No.5 of 2025 in E.P.No.159 of 2021 in O.S.No.50 of 2018, dated 16.10.2025 on the file of the Principal District Court, Tirunelveli.

For Petitioner :Mr.V.M.Jegadeesha Pandian

For Respondent :Mr.V.Chandarasekar
for Mr.K.Pandipriya



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ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned Principal District Judge, Tirunelveli, in E.A.No.5 of 2025 in E.P.No.159 of 2021 in O.S.No.50 of 2018, dated 16.10.2025.

2.Heard Mr.V.M.Jegadeesha Pandian, learned Counsel for the Revision Petitioner and Mr.V.Chandarasekar, learned Counsel for the respondent.

3.The respondent herein, as plaintiff, has filed a suit in O.S.No.50 of 2018 on the file of the Principal District Court, Tirunelveli, against the petitioner herein, and the same was decreed in favour of the respondent. The appeal preferred by the petitioner before this Court in A.S.(MD)No.155 of 2020 was dismissed on 24.06.2022, against which, the petitioner herein has preferred an SLP in S.L.P.No.73220 of 2025, which was dismissed vide order, dated 17.12.2025. Thereafter, the respondent has filed an Execution Petition in E.P.No.159 of 2021 in O.S.No.50 of 2018. During the said proceedings, the respondent herein has also filed an application in E.A.No.5 of 2025 in E.P.No.



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159 of 2021 in O.S.No.50 of 2018 seeking permission to demolish the building and by impugned order, dated 16.10.2025, the said application was allowed by the Court below with a direction to disconnect the electricity connection and demolish the said property and deliver possession to the decree holder. Challenging the same, the present Civil Revision Petition has been filed.

4.The learned Counsel for the petitioner submitted that by suppressing the earlier proceedings, the respondent has filed the suit and without considering the same, the Court below has passed the impugned order. The learned Counsel also submitted that the Court has not considered the decree passed by the trial Court properly, as the suit was decreed only in respect of the vacant site and that the ordering demolition and disconnect the electricity service connection is not in accordance with law. However, he submitted that pursuant to the impugned order, the service connection was disconnected on 05.11.2025. He also submitted that the petitioner's children are now awaiting for their annual examination and pleaded that electricity service connection be restored for them to pursue their exam.



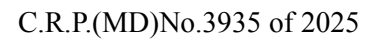
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5.*Per contra*, the learned Counsel for the respondent vehemently contended that right from the stage of suit, the attitude of the revision petitioner is unwilling to vacate the premises and even after the SLP being dismissed, the petitioner has no intention to vacate the premises and that the present impugned order for disconnection of electricity service connection has rightly been passed, which needs no interference of this Court. Further, the learned Counsel for the respondent also submitted that the petitioner's appeals were dismissed by this Court as well as by the Hon'ble Supreme Court and it is not acceptable to enjoy the suit property for a long period without having any valid title and hence, he seeks dismissal of this petition.

6.This Court considered the submissions made on either side and perused the materials available on record.

7.The suit filed by the respondent in O.S.No.No.50 of 2018 before the Principal District Court, Tirunelveli, against the petitioner herein, was decreed



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8.In the result, the Civil Revision Petition is dismissed. No costs.
Consequently, connected miscellaneous petition is closed.

29.01.2026

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

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To

The Principal District Judge, Tirunelveli.



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N.SENTHILKUMAR, J.

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