

**IN THE COURT OF THE I ADDITIONAL SUBORDINATE JUDGE,
ERODE.**

PRESENT: THIRU. G. ASHOK PRASATH, B.A., B.L., M.S.E.N.,
I ADDITIONAL SUBORDINATE JUDGE, ERODE.

On Monday, the 28th day of July 2025

On Thiruvalluvar Varudam 2056, Tamil Visuvavasu Year, Aadi Thingal 12th day

E.A.No.6/2025

in

EA.No.03/2024

in

EP.No.282/2006

G.M.Kumaravel

...Petitioner/Petitioner/J.D

/vs/

N.P.Sekar

...Respondent/Respondent/Decree Holder

This petition has come up on 24.07.2025 for final hearing before this court in the presence of Thiru.V.Dhandapani, learned advocate for the petitioner, Thiru.P.C.Palanisamy, learned advocate for Respondent upon hearing both sides, on perusal of available materials on record and having stood over for consideration till this day, this court delivers the following:-

ORDER

This Petition has been filed Under Section 151 of CPC to stay all further proceedings till getting the stay order from the C.R.P.

2. The Brief Averments of the Petition are as follows:-

3. It is stated that the petitioner in the petition. The decree holder filed a suit for specific performance, in which an ex-parte decree was passed. The E.A.No:3/2024 and E.A.No:4/2024 were dismissed on 16.7.2025. The petitioner has applied for a copy application No 376/2025 and 377/2025 in respect of the E.A.No:3/2024 on 17.7.2025 for preferring the C.R.P. It is therefore, the petitioner prayed to stay all further proceedings till getting the stay order from the C.R.P.

Hence, the petition.

4. The Brief Averments of the Counter are as follows:-

5. All the allegations stated in the petition were denied as false, except that a few were admitted as true.

6. It is stated that the petitioner applied for the copy applications Nos 3291/2025 and 3292/2025 in respect of E.A.No:3/2024 and E.A.No:4/2024, but the same was not received by the petitioner, which was denied as false. Therefore, to stay further proceedings till receiving the copy applications, which is not maintainable and also no prima facie in the petition. It is only to prolong the proceedings of the matter. Hence, this petition is liable to be dismissed with costs.

7. No oral and documentary evidence adduced on either side, Whether the petition deserves to be allowable or not?

On Point:-

8. In this instant matter, the Respondent side inquiry was heard; further, this matter is posted for the Petitioner side inquiry, but the Petitioner side stated some reasons to delay the proceedings of the matter. It is therefore, the Petitioner side inquiry is deemed to be heard because, since a sufficient chance is given to the petitioner side but the petitioner side has not come forward to progress the proceedings of the matter and thereby the petitioner is much more interested in getting adjournments, which is not entertained by this court because the EP.No:282/2006 is pending for the past 19 years for delivery of possession, hence this matter is taken for orders on merits.

9. Further, the petitioner side contended that the copy applications were applied till receiving the copy applications and then preferring the Civil Revision Petition, all further proceedings are to be stayed till getting orders from the Civil Revision Petition, which is not entertained by this court because this petitioner wantonly drags the proceedings of the matter by repeatedly filing unnecessary applications to stall the

proceedings of the execution because the issues involved in the E.A.No:3/2024 and E.A.No:4/2024 which were already adjudicated and settled, but this petitioner has the habit of filing petition again and to prolong the proceedings of the matter for ever and keeping the execution proceedings in pending which is ultimate aim and destination of this petitioner. So, the petitioner has not stated sufficient reasons in the petition, and there is no prima facie in the petition. It is only to prolong the matter and the delaying tactics adopted by this petitioner. Given the above aspect of the reasons, this Petition stands dismissed and No cost.

As a result, this Petition stands dismissed and No costs.

Dictated to the Steno-typist and typed by him directly in the computer, corrected and pronounced by me in open court, on this the 28th day of July 2025.

I Additional Subordinate Judge,
Erode.

Petitioner and Respondent side Witness and Documents:

-Nil-

I Additional Subordinate Judge,
Erode.

Draft/Fair Order

EA.No.6/2025 in
EA.No.03-2024 in
EP.No.282/2006
Dated:28.07.2025
I ASJC, Erode.