

TNTH140000452019



Presented on : 14-02-2019
Registered on : 25-02-2019
Decided on : --
Duration :

IN THE COURT OF
District Munsif AT Andipatti, Theni *
Presided Over by Thiru.E.Suganthan, B.A., L.L.M.,

EP/14/2019

Exhibit No.:

Plaintiff Name:
Kalimuthu.
Age: 55
Occupation :
Address: Muthanampatti Po, Andipatti, Theni Dt.

VERSUS

Defendant Name:
Raja
Age: 0
Occupation :
Address: K.Velaku, Kovilpatti, Andipatti, Theni Dt.

Advocate for Plaintiff Name: Jeyaraman.p

Advocate for Defendant Name: Mahendiran.A appearing for Raja:

Advocate appearing for respectively.

Claim :

JUDGMENT
(Delivered on --)

ORDER

Both side counsel present. On perusal of records, it is seen that the Respondent has preferred Revision against the order dated 28.03.2025 passed by this court in E.A. No. 7/2021, 8/2021, 9/2021. In CRP (MD) No. 1311/2025, 1312/2025, 1313/2025, the Hon'ble Madurai Bench of Madras High Court was pleased to grant an interim stay till 19.06.2025.

In this regards, the Respondent counsel sought adjournment for obtaining stay extension Order. However, the Petitioner counsel strongly opposed for granting adjournment as the interim stay granted by the Hon'ble High Court expired on 19.06.2025. However, no action taken by the respondents till date for listing the above matters.

This court considered the rival submission of both counsels. Admittedly, the interim stay granted by the Hon'ble High Court was not extended after 19.06.2025. It is settled proposition that Mere pending of Appeal or Revision in superior court will not bar the execution Court from executing the decree granted in favour of the Petitioner.

Further, the Hon'ble Supreme Court in Periamma (Dead) Through Lrs and Others Vs Rajamani and Anr, issued a direction to all the High Courts to give appropriate instruction to the executing courts to dispose the

pending EP's within 6 months.

On the strength of which, the Hon'ble Madras High Court issued a ROC No.27923-A/2025/F1 dated 23.04.2025, directing the Executing courts to dispose the EP in 6 months, failing which the presiding officer will be answerable to the High Court on its Administrative Side.

Considering all the above, this court opines that Mere pending of Revision is not a ground for adjournment as the Interim stay was not extended by the Hon'ble High Court. However, in the interest of justice, this Court provides an opportunity to the Respondent for production of Stay extension order, failing which, the Petition will be proceeded in accordance with law.

Hence, for Production of stay extension order or for further proceedings call on 25.08.2025.

Date : --

(Thiru.E.Suganthan, B.A., L.L.M.,)
District Munsif
Andipatti,Theni *

Dictated on :

Transcribed on :

checked on :

Signed on :

(Thiru.E.Suganthan, B.A., L.L.M.,)
{JUDGE_DESIGNATION_NAME}
Andipatti,Theni *