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C.R.P. No.2133 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HONOURABLE MRS. JUSTICE N. MALA

C.R.P. No.2133 of 2026

Sukirthi

... Petitioner

Vs

1. K. Ramasamy
2. Thangavel
3. Nallammal
4. Manoharan

... Respondents

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned II Additional District Judge, Tirupur to number the application in E.A.SR.No.425 of 2026 in E.P.No.32 of 2025 in O.S.No.15 of 2015 on the file of the II Additional District Judge, Tiruppur and decide the same on merits in accordance with law.

For Petitioner : Mr. R. Prabakar

For Respondent : Mr. M. Guruprasad

ORDER



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This Civil Revision Petition is filed against the docket order dated 09.02.2026 in E.A.SR.No.425 of 2026 in E.P.No.32 of 2025 in O.S.No.15 of 2015 on the file of the II Additional District Judge, Tiruppur.

2. The petitioner, aggrieved by the rejection of her petition filed under Order 21 Rule 97, 101 r/w Section 151 of CPC by the II Additional District Judge, Tiruppur on 09.02.2026, as not maintainable filed the above civil revision petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner's petition filed on 30.01.2026 in E.A.SR.No.425 of 2026 in E.P.No.32 of 2025 was returned on 09.02.2026 as not maintainable even without numbering the petition by a ministerial function. The learned counsel submitted that the procedure adopted by the lower Court was erroneous and hence prayed to allow the civil revision petition.

4. The learned counsel appearing for respondents submitted that pending the above civil revision petition, the E.P.No.32 of 2025 in O.S.No.15/2015, was closed on 30.03.2026, and hence the civil revision petition had become infructuous.



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5. Heard both sides and perused the materials available on record.

6. As rightly contended by the learned counsel for the respondents, on closure of the execution proceedings in E.P.No.32 of 2025 in O.S.No.15/2015, the petition filed by the petitioner as an obstructor by invoking the provisions of Order 21 Rule 97, 101 r/w Section 151 of CPC, has become infructuous. However, this Court finds that the petitioner should be given an opportunity to contest the delivery, as and when the respondents file a petition under Order 21 Rule 35 of CPC.

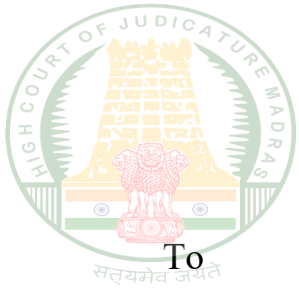
7. Accordingly, this civil revision petition is disposed of giving liberty to the petitioner, to file fresh obstruction petition, as and when the respondents file a petition for delivery invoking Order 21 Rule 35 of CPC. There shall be no order as to costs.

20.04.2026

stn

N. MALA, J.

stn



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To

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The II Additional District Judge,
Tiruppur.

C.R.P. No.2133 of 2026

20.04.2026