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CMP(MD) NO. 5044 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09-06-2026**

CORAM

THE HONOURABLE MR JUSTICE V. LAKSHMINARAYANAN

CMP(MD) NO. 5044 of 2026

IN

CRP(MD) SR NO. 760 OF 2026

Chellappan Pillai (Died)

Lekshmi Pillai (Died)

(Cause title is accepted vide Court order dated
10.03.2026 made in CMP(MD)No.3004 of 2026
in CRP(MD)SR.No.760 of 2026)

1.Ayyappan Pillai

2.Prem Kumar

3.Meena

4.Vinu

Petitioner(s)

Vs

Thanka Nadar (Died)

1.Suresh Kumar

2.Rajendran

3.Hari Chandran

4.Kala

5.Ambika Devi

6.Soundar Pandiyan

7.Ajitha



8.Anitha



Respondent(s)

For Petitioner(s):

Ms.J.Anandhavalli

For Respondent(s):

Mr.M.Yesudasan for R-1

No appearance for R-2 to R-6 & R-8

Prayer in CMP(MD)No.5044 of 2026:

Civil Miscellaneous Petition filed under Section 5 of the Limitation Act, to condone the delay of 1296 days in filing the above Civil Revision Petition before this Court.

Prayer in CRP(MD)SR.No.760 of 2026:

Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, to set aside the order dated 14.12.2020 ordering delivery in E.A.No. 172 of 2018 and the consequential fair and decretal order dated on 09.08.2021 recording of delivery passed in E.A.No.172 of 2018 in E.P.No.19 of 2013 in O.S.No.1 of 2008 on the file of the Principal District Munsif Court, Kuzhithurai, and allow the present Civil Revision Petition.

ORDER

It is the plea of Ms.J.Anandhavalli that the Executing Court had never put the petitioners/legal heirs of the judgment debtors on notice at any point of time. She states that the petitioners came to know of the delivery only when the police visited the suit property pursuant to the orders passed in W.P. (MD).No.6504 of 2024 dated 05.09.2024.

2. Since allegations are made on non-service, it is necessary that this Court sees the original records in E.P.No.19 of 2013 in O.S.No.1 of 2008 on the file of the learned Principal District Munsif, Kuzhithurai.

3. The learned Principal District Munsif, Kuzhithurai, is requested to send the entire records in the aforesaid proceedings for the perusal of this Court. The records may be sent through special messenger.



4. Both the counsels are permitted to peruse the records once it is received by the Registry of this Court.

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5. Post the matter on **19.06.2026**.

09-06-2026

Lm

To
The Principal District Munsif Court,
Kuzhithurai.