



CRP(MD). No.3703 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 09/12/2025

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3703 of 2025
and
CMP(MD)No.19544 of 2025

G.Thambidurai

... Petitioner

Vs

R.N.Palanisamy (Died)

1. Rajan

2. Logambal

... Respondents

PRAYER :-

Civil Revision Petition filed under Section 115 of Civil Procedure Code, to call for the records and set aside the Fair and Decretal order dated 21.11.2025 passed in EP No.1 of 2025 in OS No.206 of 2013 on the file of District Munsif Court, Melur and allow this Civil Revision with costs throughout.

For Petitioner : Ms.Swathini K,
Advocate.

For Respondents : Mr.T.Villavankothai



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ORDER

This Civil Revision Petition is filed challenging the order passed by the learned District Munsif Court, Melur dated 21.11.2025 passed in EP No.1 of 2025 in OS No.206 of 2013.

2. Learned Counsel for the petitioner would submit the petitioner is the defendant in the suit filed by the respondents herein / plaintiff in O.S.No.206 of 2013 which was decreed in favour of the plaintiff. The contention of the petitioner is that even in the plaint it has been stated that the defendant has also took the portion of building bearing Door No. 6 on lease from this plaintiff on a monthly rent of Rs.2,250/-. The defendant is in possession and enjoyment of both the portions bearing Nos.5 and 6 as tenant as well as in lieu of interest. The schedule of property in the suit is mentioned as D.No.5, S.No.154/1N. But in the decree, the schedule of property is mentioned as Door No.5, S.No.154.

3. The contention of the learned counsel is that the decree which has to be executed through the judgment only refers to Door No.5, S.No. 154, whereas the suit schedule property in the plaint measured as Door No.5, S.No.154/1N. Since there is no clarity with regard to the decree and the description made in the suit, further proceedings in execution petition may not warrant and unless the decree is in consonance with the schedule mentioned in the plaint.



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4. Hence, there shall be an order of interim stay of all further proceedings in EP No.1 of 2025 in OS No.206 of 2013 on the file of District Munsif Court, Melur.

5. Mr.T.Villavankothai, learned counsel takes notice for the respondent.

6. Post on 20.01.2026.

09.12.2025

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To

1. The District Munsif, Melur.



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N.SENTHILKUMAR, J

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