



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.04.2017

CORAM :

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

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C.R.P. (PD) (MD) No. 927 of 2017
and
C.M.P. (MD) No. 4054 of 2017

1. Abithabi Khan,

2. Mohammed Salman

... Petitioners/Respondents 1&3/
Defendants 1&3

vs.

1. D. Pathanjali Selvan

... 1st Respondent/Petitioner/
Plaintiff

2. Imran.

... 2nd Respondent/2nd Respondent/
2nd Defendant

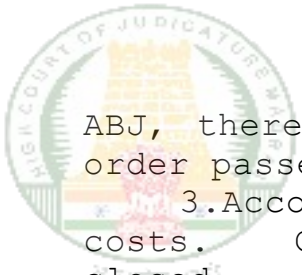
Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and final order made in I.A.No.704 of 2016 in O.S.No.193 of 2016 dated 22.02.2017, on the file of the 3rd Additional District Court, Trichy.

For Petitioner : Mr.K.K.Senthil

ORDER

This Civil Revision Petition is directed against the Attachment Before Judgment immovable property by the trial Court. Apprehending the alienation of the property the plaintiff has taken out application under order 38 Rule 5 of CPC, which has been considered by the trial court and order passed on merits.

The learned counsel for the revision petitioner submits that along with application for attachment for the immovable property before Judgment, the plaintiff has also taken out two more applications for attachment of retirement benefits as well as attachment of the bank account, which are pending for the disposal. If the trial Court is satisfied that attachment of the immovable property is suffice to satisfy the decree likely to be passed in future, the other two need not be kept pending. However, it is for the revision petitioner to make such submission before the trial Court to close the other two application. If such request emanates from the revision petitioner, the trial Court may consider it in accordance with law and dispose of those applications. Since there is no illegality or error in ordering



ABJ, there is no necessity for this Court to interfere with the order passed by the trial Court in I.A.No.704 of 2016

3. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently the connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(CS II)

/True Copy/

Sub Assistant Registrar

To

The III Additional District Judge,
Tiruchirappalli.

+1cc to Mr.K.K.Senthil, Advocate, SR.54147

C.R.P. (PD) (MD) No.927 of 2017
and
C.M.P. (MD) No.4054 of 2017
25.04.2017

MYR/SMI

KK/RSK/SAR3-31.05.2017-2P-3C