

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

C.R.P.(PD)No. 4457 of 2017

P. Amutha

... Petitioner

Vs

R. Tamilarasa

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the learned Principal District Judge, Namakkal to communicate the order of attachment made in I.A.No.311 of 2016 in O.S.No.119 of 2016 dated 18.07.2016 to the Sub-Registrar, Ambattur.

For Petitioner : Mr.M.R. Thangavel

For Respondents : No appearance

ORDER

Limited prayer sought for in the present petition is for a direction to the learned Principal District Judge, Namakkal to communicate the order of attachment in I.A.No.311 of 2016 in O.S.No.119 of 2016 dated 18.07.2016 to the Sub-Registrar, Ambattur.

2. According to the learned counsel for the petitioner, though the order of attachment was passed on 18.07.2016, the trial Court had not sent the notice under Form 6-A. Order 38 Rule 11(b) of C.P.C. provides that any order of attachment passed under R.5 or 6 of this order and any order raising the attachment passed under R.9 of this order shall be communicated to the Registering Officer within the local limits of whose jurisdiction the whole or any part of the immovable property completed in such order, is situate.

3. Since the pro-order attachment has already been passed on 18.07.2016, it would be appropriate that the said order is communicated to the concerned Sub Registrar, Ambattur, having jurisdiction over the subject properties.

4. Though notice has been sent to the respondent and her name is printed in the cause list, none appeared on behalf of her. As such there is no one to rebut the submission of the petitioner.

5. In the light of the observations, the learned Principal District Judge, Namakkal is directed to communicate the order of attachment in I.A.No.311 of 2016 in O.S.No.119 of 2016 dated 18.07.2016 to the Sub-Registrar, Ambattur at least within the period of one week from the date of receipt of a copy of this

order.

6. This Civil Revision Petition stands allowed in the above observations.

18.12.2018

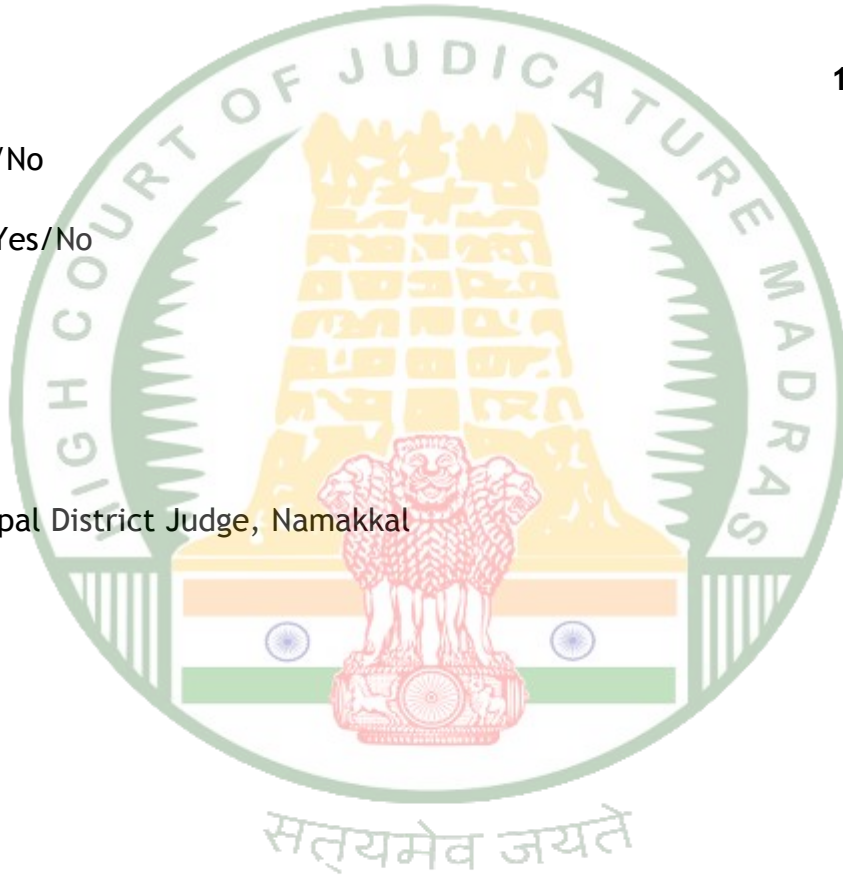
Index:Yes/No

Internet: Yes/No

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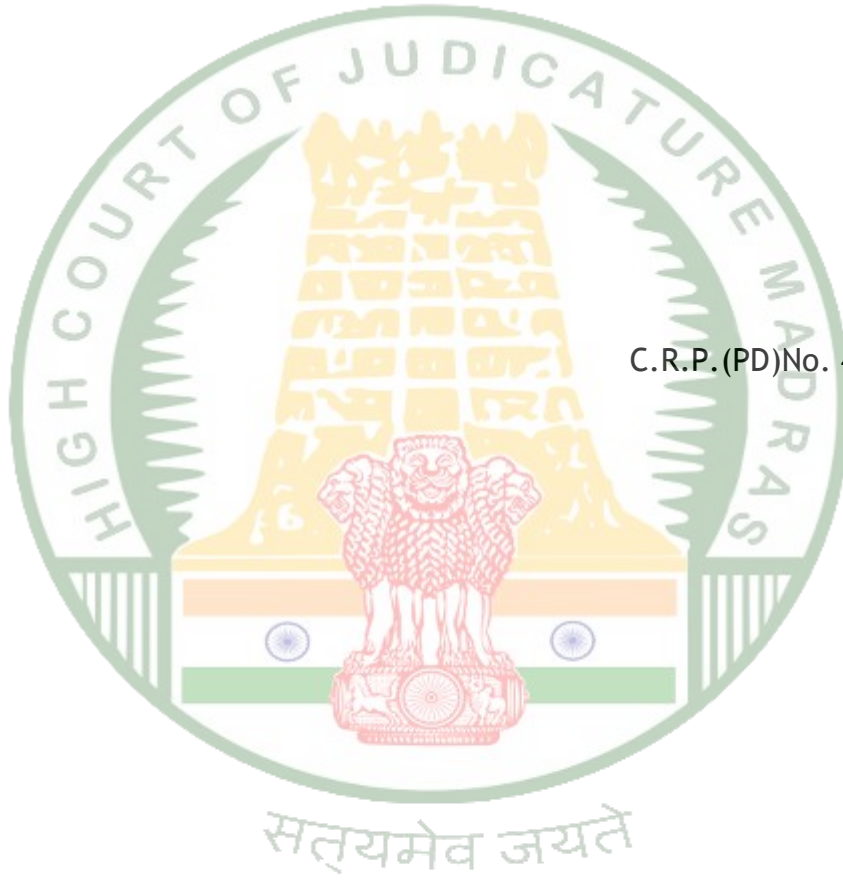
The Principal District Judge, Namakkal



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M.S.RAMESH.J.

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