



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD) (PD)No.598 of 2016

and

C.M.P.(MD)No.2664 of 2016

K.Velusamy

...Petitioner /Petitioner / Respondent /
Defendant

/Vs./

P.Indira

... Respondent / Respondent / Petitioner /
Plaintiff

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to allow the civil revision petition and to set aside the fair and decreetal order passed in I.A.No.9 of 2014 in I.A.No.137 of 2013 in O.S.No.38 of 2013 dated 03.11.2015 on the file of the Sub Court, Periyakulam.

For Petitioner

: Mr.P.Muthuvijayapandian

For Respondent

: Mr.V.Janakiramulu

ORDER

The defendant in O.S.No.38 of 2013 on the file of the Sub Court, Periyakulam is the revision petitioner herein. The suit is for money. The plaintiff filed I.A.No.137 of 2013 for effecting attachment before judgment. Notice was issued on 29.10.2013 and received by the revision petitioner on 05.11.2013. But before next hearing date, namely, 22.11.2013, on 07.11.2013, the revision petitioner appears to have alienated the property in question. Therefore, the Court below passed an order for attachment on 22.11.2013. This order is questioned in the civil revision petition.

2. This Court has to take note of the conduct of the revision petitioner in effecting the sale of the property after receiving the Court notice in the ABJ petition. That apart, the petitioner has sold the property. He may not have any substantial interest in the matter. There is no locus standi to maintain the civil revision petition. Therefore, this Court declines to interfere with the order passed by the Court below. Accordingly, the civil revision petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(AS)

/True Copy/



To

1.The Sub Judge, Periyakulam.

2.The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

• 1 CC TO Mr.P.Muthuvijayapandian , ADVOCATE IN SR No. 81250.

SM

DS SV SAR-1 16.10.2018 2P/5C

Order made in
C.R.P. (MD) (PD) No.598 of 2016

30.08.2018