



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) No.1946 of 2018

and

C.M.P. (MD) No.8579 of 2018

K.Vijayaradha

...Petitioner / 3rd Respondent /
4th Respondent

/Vs./

1. M/s.Shriram Chits Tamil Nadu (P) Ltd.,
Represented by its Foreman,
3-J.K.Complex First Floor,
Manakavalam Pillai Hospital Road,
Palayamkottai 627 002. ...1st Respondent / Petitioner /
Claimant
2. A.Pitchammal,
Employed as Nurse in Tuticorin Government Hospital.
3. A.Poolan Packiam,
Employed as Nurse in Tirunelveli Medical College Hospital.
4. L.Saraswathy,
Employed as Nurse in Tirunelveli Medical College Hospital.
...Respondents 2 to 4/Respondents 1,2&4
/ Respondents 2,3 & 5
5. The Dean,
Administrative Officer,
Tuticorin Government Hospital,
Tuticorin.
6. The Dean,
Administrative Officer,
Tirunelveli Medical College Hospital,
Tirunelveli - 627011. ...Respondents 5&6/Respondents 5&6/
Garnishee

Prayer: Civil Revision Petition - filed under Section 115 of the Civil Procedure Code, to call for the records relating to the fair and decretal order dated 10.01.2018 passed in E.P.No.23 of 2017 on the file of the Principal Subordinate Judge, Tirunelveli, and set aside the same as prayed for by



allowing the civil revision petition.

For Petitioner : Mr.A.Sivasubramanian

WEB COPY

ORDER

The revision petitioner was the guarantor. The principal borrower committed a default. Therefore, the claimant obtained an award against the principal borrower as well as all the guarantors, which includes the revision petitioner herein. The same was put to execution by filing E.P.No.23 of 2017. The Court below ordered attachment of revision petitioner's salary. The same is questioned in this civil revision petition.

2. This Court is of the view that the order passed by the Court below does not warrant any interference. Accordingly, this civil revision petition is dismissed.

3. Of course, if the Principal borrower comes forward to clear the amount in question, immediately, thereafter, the attachment will be terminated. Till the due amount is paid by the Principal borrower, the attachment is bound to continue. This Court is not in a position rescue the petitioner herein. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Principal Subordinate Judge, Tirunelveli.
2. The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

SM
TE/SKN/SAR-1 : 03/10/2018 : 2P/4C

Order made in
C.R.P. (MD) (PD) No.1946 of 2018
10.09.2018