

A.No.4912 of 2019

in

C.S.No.686 of 2017

R.SUBRAMANIAN,J.

This application has been filed seeking to raise the order of attachment to the extent of 2/3rd share in the property measuring about 1140 sq.ft. at No.33, Madley Road, T.Nagar, Chennai - 17.

2. The applicant who is plaintiff sought for attachment before judgment of the property belonging to the Judgment Debtor situate at Door No.33, Madley Road, T.Nagar, Chennai - 17 measuring about 1140 sq.ft.

3. Since the respondent did not appear, an order of attachment was passed in A.No.5353 of 2017. Subsequently, the suit in C.S.No.686 of 2017 came to be decreed exparte.

4. At this stage, the applicant has come forward with this application seeking to raise the order of attachment in respect of the 2/3rd share in the property claiming that the Judgment Debtor is entitled to only 1/3rd share in the property.

5. Notice was ordered to the Judgment Debtor and the same was served on 01.08.2019. Despite such service none appears for the Judgment

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dsa

Debtor/ respondent. The name of the respondent has also been printed in the cause list.

6. Considering the reasons set out in the affidavit filed in support of the application and the fact that the applicant himself has conceded that the respondent has got only 1/3rd share in the property, this application is **allowed** and the attachment in respect of 2/3rd share is raised.

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19.08.2019

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