

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P. No.128 of 2020
and C.M.P.No.762 of 2020 & 760/2020

D.Sekar

..Petitioner/Petitioner/Plaintiff

Vs.

1. George Antanoy Raj ..Respondent/Respondent/Defendant

2. Sri Gokulam Chits & Finance Company Ltd.,
New No.66, Old No.356, Arcot Road,
Kodambakkam, Chennai - 24. ..2nd Respondent/Garnishee

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decretal order, dated 05.12.2019 in I.A.No.243 of 2018 in O.S.No.46 of 2018 on the file of the Sub Court, Udumalpet.

For Petitioner : Ms.T.Madhumitha for
Mr. B. Gopalakrishnan

For Respondent No.1 : Mr.D.R.Arun Kumar

O R D E R

According to the revision petitioner, the petitioner has filed an application under Order XXXVIII Rule 5 of C.P.C. for attachment before judgment, a sum Rs.4,20,000/- available in the hands of the second respondent/Garnishee and the said application was dismissed by the Court below. Challenging the said order, the petitioner has preferred the present Civil revision petition before this Court.

2. When the matter is taken up for hearing, the counsel appearing for the first respondent would submit that the chit deposit amount available at the hands of the second respondent is subsequently transferred to the petitioner's account on 18.1.2020 and therefore, the said application has now become infructuous in view of the amount credited to the account of the petitioner.

3 Recording the said submission made by the learned counsel appearing for the first respondent, the Civil revision petition stands dismissed as infructuous. It is for the petitioner to work out his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

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To

The Sub Court, Udumalpet.

+ 1 cc to Mr.M.N. Balakrishnan, Advocate Sr.20838

+ 1 cc to Mr.S. Gunalan, Advocate Sr.20791

C.R.P.(PD) No.128 of 2020
and C.M.P.No.762 of 2020

SSD(CO)
EU 25.6.2020



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