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CRP.No.888 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.888 of 2022
and
CMP.No.4501 of 2022

1.Tamizharasan
2.T.Prabhakaran

... Petitioners

Vs.

R.Sakthivel

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order and decretal order dated 04.10.2021 passed by the Principal District Judge, Kancheepuram, Chengalpattu in I.A.No.2 of 2020 in O.S.No.187 of 2020 and allow the revision.

For Petitioners : Mr.R.Arunkumar
for Mr.A.Tamilvanan

For Respondent : Mr.M.Mohanraj



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for M.Kempuraj

ORDER

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This Civil Revision Petition is filed, challenging the order dated 04.10.2021 where under the Court below closed the petition for attachment as the attachment was order already effected on 21.09.2021.

2. The docket orders in I.A.No.2 of 2020 filed in the typed set of papers would suggest that the petitioners were ordered to furnish a security on 06.07.2021. As he failed to furnish the security as per the order dated 06.07.2021, the Court below ordered for attachment on 06.09.2021. The said order has not been challenged in this revision. Subsequently, on 04.10.2021 the Court below recording the fact that the attachment was already effected, closed the petition and that order is impugned in this revision. If the petitioners aggrieved by the order of attachment, he ought to have challenged the order dated 06.09.2021 by filing an appeal as said order is appealable under Order 43 Rule 1 (q) of CPC. Therefore, the revision will not lie, as against the order dated 06.09.2021. As far as the order dated 04.10.2021 is concerned, it is only



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a consequential order which is just in the nature of recording the fact of attachment. Therefore, there is nothing to interfere with the order passed by the Court below in closing the I.A.No.2 of 2020 after recording the fact that the order of attachment was effected on 21.09.2021.

3. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

30.11.2022

Index : Yes / No
Internet : Yes / No
dna

To

The Principal District Judge, Kancheepuram,
Chengalpattu.



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S.SOUNTHAR , J.

dna

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