



CRP(PD)(MD)No.2034 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2034 of 2017 and
CMP(MD) No.10148 of 2017

Tamilnad Mercantile Bank Ltd,
Represented by its Senior Branch Manager,
having its office at 849-860 I Floor,
Dhakshinamara Nadar Pettai,
Perunthalaivar Kamaraj Commercial Complex,
Kovilpatti.

... Petitioner

Vs

T.Srinivasagam

... Respondent

Prayer: Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the learned Subordinate Judge, Kovilpatti dated 22.08.2017 in I.A.No.195 of 2017 in O.S.No.58 of 2017 and allow the same.

For Petitioner : Mr.N.Dilip Kumar
For Respondent : Mr.A.Thirumurthy



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ORDER

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This Civil Revision Petition is filed as against the order passed by the learned Subordinate Judge, Kovilpatti in I.A.No.195 of 2017 in O.S.No.58 of 2017, dated 22.08.2017.

2.The case of the petitioner is that the petitioner Bank instituted a suit in O.S.No.58 of 2017 against the respondent for recovery of a sum of Rs.2,98,295/- with 14.30 interest. Pending the suit, the petitioner filed I.A.No.195 of 2017 under Order 38 Rule 5 of Civil Procedure Code that the respondent is attempting to alienate the property, which will affect the petitioner's rights. The trial Court dismissed the said application. Aggrieved over the same, the petitioner Bank filed this Civil Revision Petition.

3.Today(19.12.2022), when the matter is taken up for hearing, the learned counsel appearing on either side submit that this revision petition is filed as against the denial of the order of attachment



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sought for by this revision petitioner pending the suit. The suit is arising out of the loan transaction. Now, it is reported that pending the suit, the defendant has also paid the entire outstanding amount with regard to this suit to the plaintiff Bank and therefore nothing survives in this Civil Revision Petition.

4. Recording the submission made on behalf of the petitioner and the respondent, this Civil Revision Petition is closed as no further order is required. No costs. Consequently, connected Miscellaneous Petition is closed.

19.12.2022

Index : Yes / No.
Internet : Yes / No.
vrn

To

The Subordinate Court, Kovilpatti



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B.PUGALENDHI, J.

vrn

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CRP(PD)(MD)No.2034 of 2017 and
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19.12.2022