



A.S.(MD).No.445 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

A.S.(MD).No.445 of 2023

and

C.M.P.(MD).No.9594 of 2023

1.K.Ramesh

2.K.Palaniammal

... Appellants

Vs.

Eshen Finance,
represented by its Managing Partners,
KAS.Esvaramurthi,
S/o.A.Somasundaram,
and
E.Shembakavalli,
W/o.KAS.Esvaramurthi.

... Respondent

PRAYER: The Civil Miscellaneous Appeal is filed under Order 43 Rule 1(q) of the Civil Procedure Code, against the fair and decretal order passed in I.A.No. 639 of 2019 in O.S.No.148 of 2019, dated 24.01.2023 on the file of the Principal District Court, Karur.

For Appellants : Mr.H.Arumugam

For Respondent : Mr.Raguvaran Gopalan



A.S.(MD).No.445 of 2023

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3. The learned counsel appearing for the respondent fairly submitted that apart from 76 cents already given as security, being satisfied with the remaining 28 cents towards security, he is not pressing for the attachment of the remaining property.

4. In such a view of the matter, since the appellants have already given a security for 28 cents, the same shall be taken as security. Hence, the order of attachment in respect of the remaining property stands set aside and the trial Court is directed to expedite the trial and complete the same as directed by this Court in C.R.P.(MD).Nos.604 and 607 of 2023, dated 06.03.2023.

5. With the above observations, the Civil Miscellaneous Appeal is disposed of in the admission stage itself, with the consent of both the parties. No costs. Consequently, the connected Miscellaneous Petition is closed.

28.04.2023

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N.SATHISH KUMAR,J.

akv

To

The Principal District Court,
Karur.

C.M.A.(MD).No.445 of 2023

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