



C.RP(MD)No.964 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.07.2024

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P(MD)No.964 of 2022

S.Pushparaj

... Petitioner

Vs.

R.Chellamani

...Respondent

Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 22.03.2022 made in I.A.No. 1 of 2022 in O.S.No.1 of 2022 on the file of the learned Sub-Judge, Thirumangalam.

For Petitioner	: No appearance
For Respondent	: No appearance

ORDER

Both sides learned counsel were absent on the last occasion and therefore, the matter was passed over. Even today, there was no representation on behalf of both sides.



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2. A perusal of the records filed along with the civil revision petition, it is seen that the civil revision petition arises out of the order dated 22.03.2022 made in I.A.No.1 of 2022 in O.S.No.1 of 2022 on the file of the Subordinate Court, Thirumangalam. The said Interlocutory Application was filed by the petitioner/plaintiff for an order of attachment before judgment. The suit is filed for recovery of a sum of Rs.5,57,500/- and the application is filed for calling upon the defendant to furnish security and in the event of non-furnishing of security, to order attachment of property mentioned therein. The trial Court considered the application and found that except a bald averment made in the application, no reasonable apprehension was disclosed by the plaintiff to bring forth that the defendant is attempting to sell all the properties or leave the jurisdiction of the Court. In view of the said finding, the trial Court dismissed the application.

3. The suit is of the year 2022 and even the application was dismissed in the year 2022. Considering the fact that there is no order of attachment for the past two years and the suit is pending from the year 2022 and considering the reasoning mentioned in the trial Court, it is not a fit case to interfere in the order of the trial Court at this stage. In view thereof, finding no merits in the civil



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revision petition. Accordingly, the Civil Revision Petition is dismissed. No costs.

09.07.2024

NCC:Yes/No

Index:Yes/No

Rmk

To

1.The Sub-Judge, Thirumangalam.

2.The Section Officer,

V.R.Section,

Madurai Bench of Madras High Court,

Madurai.



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D.BHARATHA CHAKRAVARTHY, J.

Rmk

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