



CRP.No.1302 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM :

**THE HONOURABLE MR. JUSTICE P.B. BALAJI**

CRP.No.1302 of 2025

and

CMP.No.7750 of 2025

L.Gopala Krishnan,

Rep. by his Power Agent,

R.Sivadasan.

(Cause title accepted and recognised the Power Agent,  
vide Court order dated 19.03.2025 made in CMP.Nos.6370 &  
6371 of 2025 in CRP.Sr.No.41074 of 2025.)

...Petitioner

Vs.

1. R.Sambasivam

2. Axis Bank Ltd.,  
Represented by its Manager,  
Gopalapuram Branch  
Chennai – 600 086.

...Respondents

Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the Docket order passed in I.A.No.2 of 2024 dated 12.04.2024 in O.S.No.671 of 2024 on the file of the II Additional City Civil Court, Chennai.



WEB COPY



CRP.No.1302 of 2025

For Petitioner : Mr.S.Gunasekaran  
For Respondents : Mr.T.K.S.Gandhi, for R1  
: Mr.M.R.Uma Vijayan, for R2

### **ORDER**

The present Civil Revision Petition has been filed to set aside the Docket order passed in I.A.No.2 of 2024 dated 12.04.2024 in O.S.No.671 of 2024 on the file of the II Additional City Civil Court, Chennai.

2. Heard the learned counsel for the parties.

3. The order in I.A.No.2 of 2024 dated 12.04.2024 passed by the II Additional City Civil Court, Chennai, directing the Garnishee to retain a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) is under challenge in the present revision petition.

4. The grievance of the petitioner is that the trial Court has initially allowed I.A.No.2 of 2024, without even ordering notice to the revision petitioner. However, it was brought to the notice of the trial Court, and though the trial Court has recalled the earlier order, proceeded to direct



CRP.No.1302 of 2025

WEB COPY

the garnishee to retain a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) without effectively hearing or enquiring into the contentions of the revision petitioner.

5. The learned counsel for the respondent brought to my notice that the petitioner has already moved an application in I.A.No.3 of 2024 for modification of the order dated 12.04.2024.

6. In view of the admitted fact that by order 12.04.2024, the trial Court has modified the earlier order, had directed the second respondent/Garnishee to retain a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) due to the first respondent that is the revision petitioner herein.

7. In the light of the above, I am inclined to dispose of the revision petition in the following manner:

(i) The docket order in I.A.No.2 of 2024 dated 12.04.2024 is set aside.



CRP.No.1302 of 2025

WEB COPY

(ii) The trial Court shall dispose of I.A.No.3 of 2024, within a period of four (4) weeks from the date of receipt of a copy of this order.

(iii) Till the disposal of I.A.No.3 of 2024, the second respondent shall continue to retain a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only), subject to the order passed in I.A.No.3 of 2024 on merits and in accordance with law.

(iv) The defendants are permitted to file a written statement in the suit, within a period of four (4) weeks from the date of receipt of a copy of this order.

(v) No costs. Consequently, connected Miscellaneous Petition is closed.

**28.08.2025**

jd

|                |            |
|----------------|------------|
| Index          | : Yes / No |
| Speaking order | : Yes / No |
| NCC            | : Yes / No |



WEB COPY



CRP.No.1302 of 2025

**P.B. BALAJI, J.**  
jd

To

The II Additional City Civil Court,  
Chennai.

CRP.No.1302 of 2025  
and  
CMP.No.7750 of 2025

28.08.2025