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REV.APPL No.146 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

REV.APPL No. 146 of 2025

AND

CMP NO. 20027 OF 2025

Tamilnadu Mercantile Bank Ltd.,
Coimbatore Main Branch,
No.1432, Ground Floor,
Akshya Orbit 11, Trichy Road,
Coimbatore 641 018.

Appellant(s)

Vs

1. Sivasubramaniam
S/o. Late Dhinakaran,
G-1, No.18, Venkateshwara
Apartments, Karthikeyapuram,
8th Cross Street, Madipakkam,
Chennai 600 031.

2.Shri Dhanalakshmi Spinntex Private
Limited,
Having Registered Office at
S.F.No.226/3, Avinashi Road,
N.H.47, Karumathampatti,
Coimbatore 641 659.
Rep. by its Managing Director,
Thiru C.Natarajan.



3.Shri Dhanalakshmi Green Energy

India Private Limited,

Having Registered Office at

S.F.No.226/3, Avinashi Road,

N.H.47, Karumathampatti,

Coimbatore 641 659.

Rep. by its Managing Director,

Thiru C.Natarajan.

4.Shri Dhanalakshmi Exim

A Partnership Firm having registered

office at S.F.No.226/3, Avinashi Road,

N.H.47, Karumathampatti,

Coimbatore 641 659.

Rep. by its Managing Director,

Thiru C.Natarajan.

5.C Natarajan,

S/o. late Chinnimalai Gounder,

No.6/776B, Indira nagar, Unjapalayam,

Coimbatore-641 668

6.N.Leelavathy

W/o. C.Natarajan,

No.6/776B, Indira Nagar,

Unjapalayam, Coimbatore 641 668

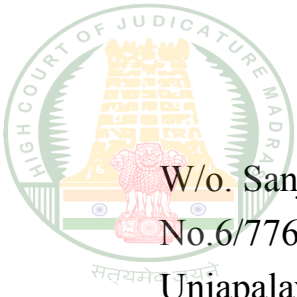
7.S Sujitha Siddharth

W/o. E.S. Siddharth Gowthaman,

No.6/776B, Indira Nagar,

Unjapalayam, Coimbatore 641 668.

8.N.Navanya



W/o. Sanjith,
No.6/776B, Indira Nagar,
Unjapalayam, Coimbatore 641 668

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9.Sivachandran
Assistant Manager,
Tamil Nadu mercantile Bank Limited,
Coimbatore Main Branch,
No.1432, Ground Floor, Akshya Orbit
11, Trichy Road, Coimbatore 641 018.

10.Vinoth @ Vivek Kumar
S/o. Late Chinnasamy,
No.2/164, Nadupalayam,
Peedampalli Post, Coimbatore 641 016.

11.Kannan
S/o. Kandhasamy,
2/72, Panaimaram Thottam,
Punjai Puliyampatti,
Sathiyamangalam Taluk,
Erode District 638 459.

12.Kalaivani
W/o.Vinoth @ Vivek Kumar,
No.32/164, Nadupalayam,
Peedampalli Post, Coimbatore 641 016.

13.Puspharani
2/72, Panaimarama Thottam,
Punjai Puliyamaptti,
Sathyamangalam Taluk,
Erode District 638 459.



Respondent(s)

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PRAYER: Review Application filed under Order 47 Rule 1 & 2 of Civil Procedure Code, to review the order passed in C.R.P.No.3519 of 2023 dated 17.11.2023 and expunge the remarks made in Para No.10 against this Review Applicant.

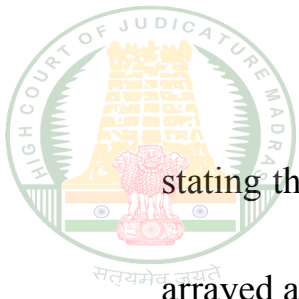
For Appellant(s): Mr.V.Chandrasekaran

For Respondent(s): Mr.M.R.Thangavel for R1
Mrs.AL.Gandhimathi
Senior Counsel
for Mr.L.Palanimuthu for R2 to
R8
R9 to R13- No appearance

ORDER

Heard Mr.V.Chandrasekaran, learned counsel for the petitioner and
Mrs.AL.Gandhimathi, learned Senior Counsel for the respondents 2 to 8.

2. The only limited ground on which the review of the order dated
17.11.2023 in C.R.P.No.3519 of 2023 is sought for by the petitioner-Bank,



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stating that there was no notice in the revision on the petitioner Bank, who was arrayed as 8th respondent. Further, he states that in paragraph No.10 of the order dated 17.11.2023, this Court has virtually accepted the allegation of the plaintiffs that the employees of the petitioner Bank had illegally handled the accounts of the plaintiffs, for which the petitioner-Bank would be vicariously liable and hence the said transaction is only a Commercial dispute under 2(1)(c) of the Act.

3. Mr.V.Chandrasekaran, learned counsel for the petitioner would state that the allegation of the plaintiffs would have to be proved and only if the plaintiffs succeeds in establishing the same, then the petitioner-Bank would be liable to meet the delay and damages.

4. Mrs.AL.Gandhimathi, learned Senior Counsel for the respondents 2 to 8 would state that the order has been understood only in that context and not interpreted as sought to be interpreted by the petitioner-Bank.



5. However, in order to avoid any confusion at a later stage, this

Review Application is allowed, clarifying the averments made in paragraph 10

of the order dated 17.11.2023 passed in C.R.P.No.3519 of 2023, are limited only

for the purpose of ascertaining the nature of the transactions to be a Commercial

Dispute and shall not be taken that this Court has given any findings with regard

to the petitioner-Bank having illegally handled the accounts of the plaintiffs,

which is simply the subject matter in the trail. No costs. Consequently,

connected Miscellaneous Petition is closed.

13-08-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The Commercial Court (District Judge Cadre),

Coimbatore.



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P.B.BALAJI J.
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