



C.R.P.No.5342 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM :

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.R.P.No.5342 of 2024
and CMP.No.29672 of 2024

M/s.AEE Casting Limited
Represented by its Director
Mrs.K.Vijaya Kumar
D/o.J.Kumar
No.A1, F11, Industrial Estate
Maraimalar Nagar, Chengalpattu District – 603 2019 ... Petitioner

Versus

1.S.Venkatesan
2.S.P.Nachiappan ... Respondents

Prayer: Civil Revision Petition filed under Section 115 of Code of Civil Procedure, to set aside the docket order dated 21.11.2024 made in E.A.No.6 of 2023 in EP.No.142 of 2022 in OS.No.11876 of 2010 by the learned Principal District Court, Chengalpattu.

For Petitioner : Mr.P.Munusamy
For Respondents : Mr.S.Mukunth, Senior Counsel
for Mr.N.Damodaran for R1



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C.R.P.No.5342 of 2024

ORDER

Challenge has been made to the order of the Executing Court dismissing the application filed by the petitioner to implead itself in the executing proceedings.

2. It is the contention of the revision petitioner that in a private dispute, the company property has been attached. Therefore, the company filed an application to implead itself, however, the same has been rejected. Challenging the same, the present revision.

3. Heard the learned counsel for the petitioner and the learned counsel for the first respondent and perused the materials placed on record.

4. At the outset, this Court is of the view that the company property has been attached, the proper course for the petitioner to agitate the attachment is by way of filing necessary application filed in Order XXI Rule



C.R.P.No.5342 of 2024

58 of CPC, not by filing a mere impleading application.

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5. Such view of the matter, I do not find any merits in this revision. It is for the petitioner to work out his remedy by filing necessary application to adjudicate his claim. On such application, the Trial Court shall decide the issue on its own merits.

No costs. Consequently connected miscellaneous petition stands closed.

30.01.2025

dhk

Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

To

1. The Principal District Judge
Principal District Court, Chengalput

3/4



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C.R.P.No.5342 of 2024

N.SATHISH KUMAR, J.

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C.R.P.No.5342 of 2024

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