



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 5054 of 2025 and
CMP Nos.25497 and 25498 of 2025**

1. N.Ganesan

Door No.2/332-96, Kuppuhsan Kadu,
Poosaripatty, Salem-636 305.

Petitioner(s)

Vs

1. The Canara Bank

Represented by its Branch Manager,
Salem Fort Main Branch, Salem.

2.Naina Agro Venture

Rep.by its Partners, Ayothiyapattinam,
Salem 636 103

Respondent(s)

PRAYER: Civil Revision petition filed under Article 227 of the Constitution of India to set aside and reverse docket order dated 8.10.2025 in IA.NO.3/2025 in OS.NO.580/2025 on the file of the IV Additional District Munsiff Court, Salem.

For Petitioner(s): Mr. Sudharshana Sunder

For Respondent(s): Mr.R.Sreedhar,
Panel Counsel For R1



ORDER

This Civil Revision petition has been filed, challenging the order passed by the Trial Court in an interlocutory application, issuing notice to the respondents.

2. The petitioner herein filed a suit in O.S.No.580 of 2025 seeking declaration, declaring the loan application dated 27.11.,2021, memorandum of title deeds dated 11.02.2021 and the sale certificate dated 02.04.2025 issued by the first respondent bank/2nd defendant in favour of the 2nd respondent herein/ 8th defendant were null and void. He also sought for injunction restraining the 2nd defendant from dispossessing the petitioner of the properties mentioned in the registered deposit of title deeds.

3. It is the main case of the petitioner that he was not a partner of the third defendant firm and the memorandum of title deeds, loan application, etc., were all concocted documents. Pending suit, the petitioner filed an application in I.A.No.3/2025 seeking interim injunction restraining the defendants 2 to 8 from taking possession of the suit property.

4. The Trial Court, after issuing summons to the defendants in the main suit, by way of the impugned order, passed an order of issuing notice to the defendants, returnable by 06.11.2025 in the interim application in



I.A.No.3/2025. Aggrieved by the order of issuing notice to the respondents, returnable by 06.11.2025, the petitioner/plaintiff has come before this court.

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6. The learned counsel for the petitioner vehemently contended that the loan application and the Memorandum of deposit of title deeds are concocted documents and therefore, the sale certificate issued by the first respondent/ 2nd defendant bank in favour of the 2nd respondent/8th defendant is also null and void. Without appreciating the said contention of the petitioner, the Trial Court decided not to grant any exparte interim order and issued notice to the respondents.

7. The order of the Trial court, issuing notice to the respondents, cannot be a subject matter of this Revision. In the next date of hearing on 06.11.2025, the petitioner is entitled to insist for interim protection by making his submission on merits before the Trial Court. The decision of the Trial Court, issuing notice to the respondents cannot be faulted with and the said order does not decide the substantial rights of the parties. After all by issuing notice, the Trial court decided to hear the other side, before passing any order. In such circumstances, this court is not inclined to interfere with the said order.



8. Accordingly, this civil revision petition stands dismissed. It is open to the petitioner to argue the Interlocutory application on merits before the Trial Court. Connected miscellaneous petitions are closed. There shall be no order as to costs.

27-10-2025

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No

MST

To

1. The IV Additional District Munsif,
Salem.

2. The Canara Bank

Represented by its Branch Manager,
Salem Fort Main Branch, Salem.

3. Naina Agro Venture

Rep. by its Partners, Ayothiyapattinam,
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S.SOUNTHAR J.

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