



C.R.P.(MD)No.1131 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[NPD](MD)No.1131 of 2022

Thambi Devarathinam @ K.Devarathinam

...Petitioner

Vs.

1.Karur Vysya Bank Ltd.,
Kumbakonam Branch.,
by its Branch Manager.,
TSR Big Street, Kumbakonam.

2.Karur Vysya Bank Ltd.,
by the Authorized Officer,
SARFEASI Act
No.D-54, Ground Floor,
L.I.C. Building, Cantonment, Tiruchy-1.

3.Karur Vysya Bank Ltd.,
by the General Manager,
Head Office-68, Erode Salai,
LHS Road, Karur.



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4.P.S.Sethuraman (Died)

5.P.S.Latha

6.P.S.Baalaji

7.S.Madhumitha

8.S.Ganthimathi alias Meenambal

...Respondents

(Respondents 5 to 8 are brought on record as LR's of the deceased 4th Respondent vide court order dated 23.07.2025 made in CMP(MD)No.17028 of 2024 in CRP(MD)No.1131 of 2022 by MDIJ)

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order dated 08.10.2021 in O.S.No.Un Filed Suit of 2021 CNR.No.TNTJ1A0012012021, on the file of the Principal Subordinate Judge, Kumbakonam and to direct the Lower Court to number the Unnumbered suit of 2021 and prays that the revision may be allowed.

For Petitioner : Mr.M.V.Santharaman

For Respondents : Mr.S.Iniyan Karthick for R1

Mr.R.Pandivel for R2

ORDER

This petition has been filed seeking to set aside the order dated 08.10.2021 in O.S.No.Un Filed Suit of 2021 CNR.No.TNTJ1A0012012021, on



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the file of the Principal Subordinate Judge, Kumbakonam and to direct the Lower Court to number the Unnumbered suit of the 2021.

2.Learned Counsel for the petitioner would submit that as against the SARFAESI notice, the petitioner filed a civil suit before the trial Court and the same was returned and not numbered. Challenging the same, the present Civil Revision Petition has been filed.

3.However, learned Counsel for the petitioner would submit that the petitioner would be satisfied, if he is given liberty to work out his remedy in the manner known to law.

4.Recording the same, this Civil Revision Petition stands dismissed, with liberty to the petitioner to work out the remedy as against the SARFAESI proceedings in the manner known to law. There shall be no order as to costs.

11.08.2025

Internet:Yes/No

Index:Yes/No

MR



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To

- 1.The Principal Subordinate Judge,
Kumbakonam.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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