



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2025

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CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1438 of 2022
and
C.M.P(MD)Nos.5973 & 5974 of 2022

Archana

... Petitioner

Vs.

Gajendran

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 15.06.2022 made in I.A.No.1 of 2021 in O.S.No.448 of 2021 on the file of the Subordinate Judge, Uthamapalayam.

For Petitioner : Mr.K.Guhan

ORDER

This petition has been filed challenging the fair and decreetal order dated 15.06.2022 made in I.A.No.1 of 2021 in O.S.No.448 of 2021 on the file of the Subordinate Judge, Uthamapalayam.

2. The learned counsel for the petitioner would submit that the petitioner

is the plaintiff and she filed money suit in O.S.No.448 of 2021 before the trial



Court as against the respondent and in which she filed I.A.No.1 of 2021 for attachment before judgment under Order XXXVIII Rule 5 CPC and the same was dismissed. Challenging the same, this civil revision petition has been filed.

3. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that this Court may issue a direction to the Trial Court to dispose the main suit itself as early as possible.

4. The learned counsel for the petitioner would further submit that when the IA is pending, the respondent/defendant have filed an undertaking affidavit that he will not alienate the property. However, contra to the undertaking, the respondent alienated the property in the month of April, 2022 which is not sustainable one. Hence, liberty is granted to the petitioner to work out her remedy in the manner known to law.

5. Accordingly, this Civil Revision Petition is dismissed with liberty to the petitioner to work out the remedy in the manner known to law. No Costs. Consequently, connected miscellaneous petitions are closed.

02.07.2025

Internet: Yes/No

Index: Yes/No

NCC: Yes/No



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1.The Subordinate Judge,
Uthamapalayam.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

PJL

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