



C.R.P.(MD)No.1937 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(MD)No.1937 of 2025

and

C.M.P(MD)No.11076 of 2025

Newton David

... Petitioner

Vs.

Arumugakrishnan

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decretal order dated 17.04.2025 passed in I.A.No. 1 of 2024 in O.S.No.187 of 2014 on the file of the learned II Additional District Judge, Thoothukudi by allowing this Revision Petition.

For Petitioner : Mr.P.Krishnasamy

For Respondent : Mr.R.Ravikumar

ORDER

This Civil Revision Petition is filed seeking to set aside the fair and decretal order dated 17.04.2025 passed in I.A.No.1 of 2024 in O.S.No.187 of 2014 on the file of the II Additional District Court, Thoothukudi by allowing this Revision Petition.



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2. The case of the petitioner is that the petitioner is the defendant and the respondent is the plaintiff. The respondent filed a suit in O.S.No.187 of 2024, on the file of the II Additional District Court, Thoothukudi for recovery of money. During the pendency of the suit, the plaintiff filed I.A.No.1 of 2024 seeking to furnish security to the tune of Rs.58,00,000/- and in default to attach the petition scheduled properties before the judgment and for costs. The said petition was allowed by directing the petitioner to furnish security for the amount mentioned in the suit. Aggrieved against the said order, the petitioner /defendant filed the present civil revision petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner filed an undertaking affidavit before this Court dated 28.07.2025 that he will not alienate and encumber the suit schedule properties mentioned in I.A.No.1 of 2024.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

5. In view of the undertaking affidavit filed by the petitioner dated 28.07.2025 the order of attachment made in I.A.No.1 of 2024, dated 17.04.2025



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is set aside and the Civil Revision Petition is allowed. The petitioner is directed not to alienate or encumber the suit schedule property mentioned in I.A.No.1 of 2024 till the disposal of the suit. The said undertaking affidavit dated 28.07.2025 shall form part of the order. No costs. Consequently, connected miscellaneous petition is closed.

29.07.2025

Index : Yes/No
Internet : Yes / No
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To

- 1.The II Additional District Court,
Thoothukudi.
- 2.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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