



CRP(MD). No.1778 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1778 of 2021
and CMP(MD) No.9466 of 2021**

Sureshkumar

... Petitioner

Vs

S.Karunamoorthy

... Respondent

PRAYER :- Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 10.08.2021 in IA No.1/2020 in OS No.95/2020 on the file of the II Additional District Judge, Tiruchirappalli.

For Petitioner : Mr.S.Rajesh Kanna

For Respondent : No appearance

ORDER

This Civil Revision Petition has been filed against the order dated 10.08.2021 in IA No.1/2020 in OS No.95/2020 on the file of the II Additional District Judge, Tiruchirappalli.



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2. The petitioner is the defendant in OS No.95/2020 and the respondent/plaintiff filed the said suit for recovery of a sum of Rs.60,63,332/-, in which the respondent/plaintiff filed an application under Order XXXVIII Rule 5 and Section 151 of the Code of Civil Procedure for attachment before judgment and an order of attachment was passed. Challenging the same, the petitioner is before this Court.

3. The learned counsel for the petitioner would submit that instead of attaching the property, the petitioner has given an undertaking affidavit before this Court to the effect that he will not alienate the said property till the disposal of the suit. The learned counsel accordingly prays for appropriate direction.

4. I have considered the rival submissions and perused the materials available on record.

5. Paragraph No.4 of the affidavit reads thus:

“4.I humbly submit that pending suit I will not alienate the petition mentioned property No:1, Lawsons Road, Flat No.5C, Ram Maris Apartment, Cantonment,



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Tiruchirappalli – 1 in IA No.1/2020 in O.S.No.95/2020
till the disposal of the suit pending in the Court of the
learned II Additional District Judge, Tiruchirappalli.”

6. Without advertng to the merits of the matter, recording the
undertaking affidavit filed by the petitioner to the effect that the
petitioner will not alienate the property till the disposal of the suit, the
Civil Revision Petition is disposed of. No costs. Consequently
connected Miscellaneous Petition is closed.

03.07.2025

NCC : Yes/No
Index : Yes/No
RR

TO

1.The II Additional District Judge, Tiruchirappalli.

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.1778 of 2021**

Date : 03/07/2025