



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.08.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2259 of 2025

and

CMP(MD) No. 13546 of 2025

Gopinathan

...Petitioners

Vs.

Vanitha

...Respondents

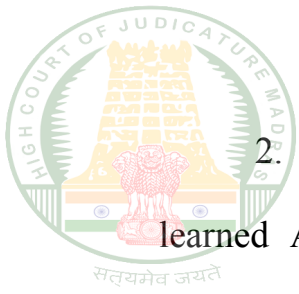
PRAYER: Civil Revision Petition is filed under Article 227 of Consitution of India to set aside the Docket Order dated 23.07.2025 made in I I.A.No.130 of 2024 in O.S.No 166 of 2024 on the file of the learned Additional District Court, Palani, Dindigul District, by allowing this Civil Revision Petition and to grant such further or other reliefs as may deem fit and proper n the circumstances of the case.

For Petitioner : Mr.R.Venkatesalu

For Respondent : Mr. D.Venkatesh

ORDER

This petition has been filed seeking to set aside the Docket Order dated 23.07.2025 made in I.A.No.130 of 2024 in O.S.No 166 of 2024 on the file of the learned Additional District Court, Palani, Dindigul District.



2. The petitioner herein filed a suit in O.S.No.166 of 2024 before the learned Additional District Judge, Palani, Dindigul District, as against the respondent, seeking a direction to the respondent to pay a sum of Rs.32,55,833/- with 12% interest. Pending the suit, the petitioner filed an interlocutory application in I.A.No.130 of 2024 before the trial Court seeking an order of attachment before judgment under Order XXXVIII Rule 5 CPC read with Section 151 CPC. However, the said application was closed on 23.07.2025. Challenging the same, the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the trial Court, without properly considering the merits of the application and the urgency in protecting the suit claim, mechanically passed the order dated 23.07.2025, closing the interlocutory application in I.A.No.130 of 2024 on the ground that the suit is ripe for trial and posting the matter for trial on 11.08.2025. Accordingly, he prays for allowing this petition.

4. The learned counsel appearing for the respondent would submit that the respondent is ready and willing to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) as per the undertaking given before the trial Court, within the time that may be stipulated by this Court.



5. In view of the above submission, this Civil Revision Petition stands disposed of. The respondent is directed to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of O.S.No.166 of 2024 on the file of the Additional District Judge, Palani, within a period of fifteen (15) days from the date of receipt of a copy of this order, failing which, the petitioner shall work out his remedy in the manner known to law. The trial Court is directed to dispose of the suit as expeditiously as possible. No costs. Consequently, the connected miscellaneous petition is closed.

21.08.2025

Internet:Yes/No

Index:Yes/No

TSG

To

1. The Additional District Court, Palani, Dindigul District

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



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M.DHANDAPANI, J.

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