



C.R.P.(MD)No.3007 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2025

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.3007 of 2025

and

C.M.P.(MD)No.17060 of 2025

Hemalatha

... Petitioner

-VS.-

1.Karur Vysya Bank Limited,
Thallakulam Branch,
D.No.149A and B,
Alagar Kovil Road,
Thallakulam, Madurai - 625 002.

2.Dr.M.Sndarrajan
3.S.Vathsala

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India to call for the records relating to the order passed in I.A.No.1 of 2024 in I.A.No.206 of 2015 in O.S.No.344 of 2005, dated 14.08.2025 on the file of the I Additional Subordinate Judge, Madurai and to set aside the same and allow the I.A.No.1 of 2024 by allowing this Civil Revision Petition.



C.R.P.(MD)No.3007 of 2025

For Petitioner :Mr.S.Suresh Kumar Isaac Paul
For R1 :Mr.V.Sukumar

ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned I Additional Subordinate Judge, Madurai, in I.A.No.1 of 2024 in I.A.No.206 of 2015 in O.S.No.344 of 2005, dated 14.08.2025.

2.Heard Mr.S.Suresh Kumar Isaac Paul, learned Counsel for the petitioner and Mr.V.Sukumar, learned Counsel for the first respondent.

3.The first respondent is the defendant in the suit in O.S.No.344 of 2005 on the file of the I Additional Subordinate Court, Madurai, The respondents 2 and 3 are the defendants in the suit. The suit was filed for a direction to the defendants to pay a sum of Rs.3,40,173.01/- with subsequent interest thereupon in favour of the plaintiff and for other reliefs.

4.During the pendency of the suit, the petitioner herein, who is a third party to the suit, has filed an application in I.A.No.206 of 2015 to cancel the



C.R.P.(MD)No.3007 of 2025

order of attachment. Since the petitioner has not appeared on 09.07.2024, the said application was dismissed for default vide order, dated 09.07.2024. Hence, the petitioner has filed an application in I.A.No.1 of 2024 to restore the application in I.A.No.206 of 2015. However, the said application was also dismissed by the Court below, vide impugned order, dated 14.08.2025. Challenging the same, the present Civil Revision Petition has been filed.

5.The learned Counsel for the petitioner submitted that the petitioner has purchased the suit property from the contesting defendants in the suit before raising of attachment and that she is the necessary party. Hence, she filed an application in I.A.No.206 of 2015 to cancel the order of attachment. However, due to Advocates' boycott on 09.07.2024, she could not appear before the Court below. However, without considering the same, the Court below has dismissed the said application for default as well as the application filed by her to restore I.A.No.206 of 2015 without considering the material evidence available on record. Hence, he seeks indulgence of this Court.

6.The learned Counsel for the first respondent submitted that the



C.R.P.(MD)No.3007 of 2025

petitioner is not a necessary party to the suit and that she has no right over the suit property. Further, the petitioner has not appeared before the Court below to contest the application. Hence, the Court below has rightly passed the impugned order, which needs no interference of this Court.

7.Considering the peculiar facts and circumstances of the case, as the non-appearance of the petitioner is only because of the Advocates' boycott, without going into the merits of the case, this Court is inclined to pass the following order:

- 1)The Civil Revision Petition is allowed. No order, as to costs.
- 2)The order passed by the learned I Additional Subordinate Judge, Madurai, in I.A.No.1 of 2024 in I.A.No.206 of 2015 in O.S.No.344 of 2005, dated 14.08.2025, is set aside.
- 3)Consequently, connected miscellaneous petition is closed.

17.12.2025

Internet	:Yes/No
NCC	:Yes/No
Index	:Yes/No



C.R.P.(MD)No.3007 of 2025

cmr

To

The I Additional Subordinate Judge, Madurai.



WEB COPY



C.R.P.(MD)No.3007 of 2025

N.SENTHILKUMAR, J.

cmr

C.R.P.(MD)No.3007 of 2025

17.12.2025