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CRP No. 422 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP No. 422 of 2026
and CMP No.2411 of 2026**

1. C.H.S. Gopi
S/o. Late C.H.Subba Rao, No.15/10, Balaji
Avenue, 2nd Street, Thirumalai Road,
T.Nagar, Chennai - 600017 Also, Director
Vinay Heavy Equipments and Foudations
Pvt. Ltd., NO.25A, West Mada Street,
Thiruvottriyur, Chennai - 600019.

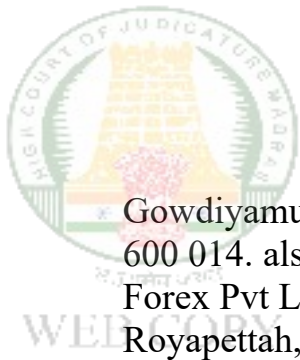
Petitioner(s)

Vs

1. Margadarsi Chits Private Limited
Rep. by its Foreman, G.Ramachandra
Naidu, A Wing, Flat No.1 and 2, 2nd Floor,
Parsn Manere, No.602, Anna Salai,
Chennai - 600006.

2.Abraham Isaac Raj
S/o.R.Natarajan Oliver, No.5 Ramaswamy
Garden Street, Royapettah, Chennai 600
014, Also at Chartered Accountant,
No.12/27 Thalayari Street, Royapettah,
Chennai 600 014.

3.N.Subashini
W/o.J.Mohan Shri Kumar, No.104/73,
Gowdiya Mutt Lane, Ground Floor,



CRP No. 422 of 2020

Gowdiyamutt Road, Royapettah, Chennai
600 014. also Managing Director, M/s. Jim
Forex Pvt Ltd., No.12/27 Thalayarsi Street,
Royapettah, Chennai 600 014.

4.G.Caroling

W/o.Abraham Isaac Raj (Respt 2),
Associate Professor, Ethiraj College for
Women, Department of Regional Joint
Director of Collegiate Education, No.70
Ethiraj Salai, Egmore, Chennai 600 008,
Also at No.5 Ramasamy Garden Street,
Royapettah, Chennai 14.

5.Mohammed Musamil

S/o.Sheik Dawood Mohideen, No.2, 2nd
Main Road, Balaji Nagar, Ekkattuthangal,
Chennai 600 032, Also at Prop. M/s.Proton
Agro Tech, No.1 Olympia Tech Park, 3rd
Floor, Altivas Building Level 3, Sipcot
Industrial Estate, Guindy, Chennai 600 032.

Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India to
set aside the Award passed by the learned Arbitrator dated 10.01.2024 in A.R.C.No.322
of 2021 insofar as it relates to the attachment of the petitioner's property situated at
Door No.25A, T.S.No.50, Old Survey No.261/Part, West Mada Street, Thiruvottiyur,
Chennai-600 019.

For Petitioner(s): Mr.P.H.Aravind Pandian
Senior Counsel
For Mr.C.V. Shailandhran

For Respondent(s): Mr.D.Shivakumaran
For R.1



CRP No. 422 of 2020

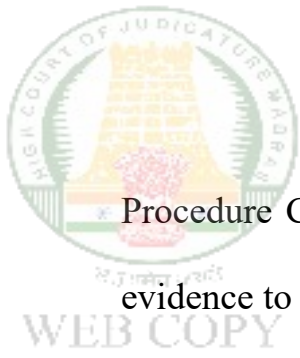
ORDER

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Though notice was ordered to the second respondent and it appears that private notice has already been served, considering the limited scope of relief sought for by the petitioner which pertains to his property alone, the revision petition has been taken up for final disposal with the consent of both sides.

2. Learned Senior Counsel would bring to my notice that the petitioner's case is that he has not given any surety for the transaction and the second respondent, who is the principal debtor has forged the signature of the petitioner and he has also admitted to the same. Learned counsel would further bring to my notice that in the light of the above when the principal judgment debtor himself has clearly gone on record by way of an affidavit of admission and assurance dated 22.02.2024 in ARC No.322 of 2021, there can be no impediment for this Court to dispose of the revision, in setting aside the order of attachment.

3. Per contra, learned counsel for the contesting respondent/decreed holder viz., the first respondent would bring to my notice that the petitioner has already filed an application under Section 47 of the Civil Procedure Code, where the scope of enquiry is wider and it would be appropriate for the application filed under Section 47 of Civil



CRP No. 422 of 2020

Procedure Code to be disposed of after giving an opportunity to the petitioner to lead evidence to establish all contentions.

4. At this juncture, learned Senior Counsel brings to my notice that the principal judgment debtor has preferred an appeal against the Award and the same is pending before the Deputy Secretary, Commercial Taxes and Registration Department,, Fort.St.George, Chennai-600009. Learned Senior Counsel would therefore state that instead of driving the petitioner to further agony in prosecuting the application filed under Section 47 of Civil Procedure Code, it would suffice if the appeal is directed to be disposed of with an opportunity to the petitioner to putforth all his contentions in the appeal regarding the forgery committed by the appellant therein and any orders are passed taking care of the interest of the petitioner, he would be satisfied.

5. Learned counsel for the first respondent is agreeable for the said course adopted.

6. In the light of the above, the revision is disposed of with a direction to the Deputy Secretary to Government, Commercial Taxes and Registration Department, Fort St.George, Chennai-9 to dispose of AR No.322 of 2021 dated 26.02.2024(received on



CRP No. 422 of 2020

28.02.2024) filed by N.Abraham Issac Raj after a full and fair opportunity to the appellant as well as the petitioner and the first respondent herein and dispose of the appeal on or before 30.04.2026.

7. In the mean time, considering the fact that the attachment before judgment was passed and the said order was also confirmed subsequently, the said order shall not be disturbed and the status-quo shall be maintained. The decree holder shall not take any coercive states in furtherance of the said order of attachment, subject to further orders in the appeal.

8. This order is limited only the properties belonging to the revision petitioner. The first respondent is at liberty to proceed against the other properties. Any delay on the part of the petitioner in filing his objections shall be condoned and the contentions shall be decided on merits by the Deputy Secretary.

9. With the above observations, the civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

20.02.2026

sr
Index:yes/no
Website:yes/no



Speaking Order/Non-Speaking Order

WEB COPY



CRP No. 422 of 2026

P.B.BALAJI,J

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CRP No. 422 of 2026

20.02.2026