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CRP No. 2463 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2463 of 2026 and CMP No.10509 of 2026

1. M/s.Hanudev Info Park Pvt Ltd.,
Rep. by its Authorized Signatory
R.Neelakanthan, R.R.Towers III-Thiru Vi
Ka Industrial Estate, Guindy, Chennai -600
032. and 2 Others

2. M/s.Rithwik Infrastructure Pvt. Ltd.,
Rep. by its Authorized Signatory
R.Rajasekhar, R.R.Towers III-Thiru Vi Ka
Industrial Estate, Guindy, Chennai -600
032.

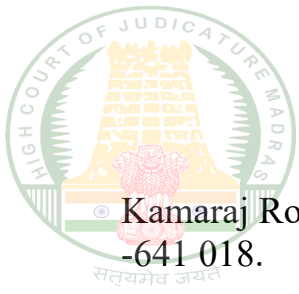
3. M/s.Rithwik Info Park Pvt. Ltd.,
Rep. by its Authorized Signatory
R.Rajasekhar, R.R.Towers III-Thiru Vi Ka
Industrial Estate, Guindy, Chennai -600
032.

Petitioner(s)

Vs

1. Andal Dorairaj,
W/o.Dorairaj, Old No.45, New No.30,
Kamaraj Road, Red Fields, Coimbatore
-641 018.

2.Vidhyasharathram,
W/o.Sharathram, Old No.45, New No.30,



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Kamaraj Road, Red Fields, Coimbatore
-641 018.

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3.D.Sarathram,
S/o.D.Dorairaj, Old No.45, New No.30,
Kamaraj Road, Red Fields, Coimbatore
-641 018.

Respondent(s)

Revision Petition filed under Article 227 of Constitution of India against the order dated 23.03.2026 made in E.P.No.2 of 2026 on the file of Commercial District Judge, Coimbatore.

For Petitioner(s):	Mr.Om Prakash Senior Counsel For Mr.R.Bharath Kumar
For Respondent(s):	M/s. M.S. Krishnan, Senior Counsel For Mr. K. S. Karthik Raja, Rr1 And 2 Mr. Sathish Parasaran, Senior Advocate For Mr. M. Sundarakadeswaran, For R3

ORDER

Challenging the order of attachment, the judgment debtors have preferred this revision.

2. Learned Senior Counsel appearing for the revision petitioners submits that



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the executing court without considering the objections raised on the side of the judgment debtors, the executing court has erroneously ordered for attachment and aggrieved by the same, they have filed the present revision. To support his argument, learned Senior Counsel relied on the following decisions:-

(I) (1997) 4 SCC 356 (Lal Chand vs VIII Additional District Judge and Others

(II) (1994) 1 SCC 131 (Desh Bandhu Gupta vs N.L.Anand & Rajinder Singh

(III) 1989 Supp (2) SCC 693 (Ambati Narasayya vs M.Subba Rao and Another

3. Learned counsel for the revision petitioners/judgment debtors submits that they raised objections before the Executing Court which was not considered before passing the order of attachment which will lead to multiplicity of proceedings. Therefore, the executing court should have considered the objections .

4. Learned counsel for the respondents/decreed holders submits that as per the Arbitration Award in Arbitration Case No.9 of 2020, the respondents/decreed holders have filed EP No.2 of 2026 to execute the Award before the Commercial Court, Coimbatore, wherein, the Court has granted time to file objections on the side of the



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judgment debtors and on receipt of the objections, the Court passed an order of attachment which is justifiable one which requires no interference. Learned counsel for the respondents/decreed holders submits that the decreed holders are 90 years old and they are not able to realise the decree and therefore pray for dismissal of the revision as such it is not maintainable.

5. I have considered the submissions of the learned counsel on either side and have perused the materials available on record.

6. The decreed holders have filed EP No.2 of 2026 to execute the Award, wherein, notice was served on the judgment debtors and the judgment debtors also appeared through counsel and they sought for time to file their counter. Accordingly, time was granted to file counter and counter was filed, but, after receiving the counter, the court directly ordered attachment without considering their objections and adjourned the case to 27.03.2026. Aggrieved by the same, the present revision is filed.

7. The fact that the judgment debtors have filed objections and the objections were not considered by the executing court before passing the order of attachment. After receiving the objections, the executing court ought to have considered the objections and



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thereafter passed an order on merits in E.A.No.2 of 2026, but, instead of that, after receiving the objections, the executing court straight away ordered attachment, which is erroneous.

8. Therefore, this Court is inclined to set aside the order of attachment passed by the executing Court and the executing court is directed to consider the objections filed by the revision petitioners/judgment debtors and decide E.P.No.2 of 2026 within a period of three weeks from the date of receipt of a copy of this order and till then, the revision petitioners/judgment debtors are directed not to make further encumbrance over the property. The affidavit of undertaking filed on behalf of the petitioners is received by this Court.

9. With the above direction, the civil revision petition is disposed of. No costs.

16.06.2026

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Index:yes/no
Website:yes/no
Speaking order/Non-speaking order



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T.V.THAMILSELVI,,J

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To

The Commercial Court/District Court, Coimbatore

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