



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP Nos. 3427, 3428, 4841, 5718 & 5721 of 2025 of 2025
and CMP Nos.18699, 18703, 24396, 28477 & 28482 of 2025

1. S.Uma
2. S.Narasinga Rao
3. S.Sharini
4. S.Sharanth
5. K.Sulochana

(Petitioners 1 to 5 are legal heirs of the Late
K.Sudeendar)

..Petitioner(s)

Vs

M.Logeswari,

..Respondent(s)

COMMON PRAYER in CRP Nos.3427 & 3428 of 2025 : Civil Revision
Petitions are filed under Article 227 of the Constitution of India, to set aside the
fair and decreetal order dated 27.11.2024 passed in I.A.No.6 of 2022 & 2 of
2021 in O.S.No.397 of 2021 on the file of the Principal District Court,
Chengalpattu District.

COMMON PRAYER in CRP Nos.5718 & 5721 of 2025 : Civil Revision
Petitions are filed under Article 227 of the Constitution of India, to set aside the
fair and decreetal order dated 25.02.2025 passed in I.A.No.6 of 2022 & 2 of
2021 in O.S.No.398 of 2021 on the file of the Principal District Court,
Chengalpattu District.



PRAYER in CRP No.4841 of 2025: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 07.04.2025 passed in I.A.No.2 of 2022 in O.S.No.151 of 2022 on the file of the Principal District Court, Chengalpattu District.

In all CRPs:

For Petitioner(s): Mr.J.Ravikumar

For Respondent(s) : Mr.M.A.Mudimannan
for Mr.K.Mani

COMMON ORDER

Challenging the impugned order dated 27.11.2024 passed in I.A.No.6 of 2022 & 2 of 2021 in O.S.No.397 of 2021, order dated 25.02.2025 passed in I.A.No.6 of 2022 & 2 of 2021 in O.S.No.398 of 2021 and the order dated 07.04.2025 passed in I.A.No.2 of 2022 in O.S.No.151 of 2022, on the file of the Principal District Court, Chengalpattu District, the petitioners / defendants have filed the present civil revision petitions.

2. Before the trial court, the plaintiff filed an applications praying to attach the properties of the defendants by invoking Order 38 Rule 5 and Section 151 CPC. She sought attachment of three items of the property belonging to the defendants. On hearing both sides, the trial judge attached two items of the property. Aggrieved over the same, the defendants have preferred these revision



petitions.

3. The learned counsel for the revision petitioners submits that those two items which were attached by the trial court is not belonging to the defendants as on date and they had been sold to third party. Due to the said attachment, they were put to untold hardship and to show bonafide, they are inclined to give their house property subject to the mortgage and as on date, the loan amount to be paid is only Rs.60,00,000/-. However, the property is worth about Rs.2 Crores. Therefore, he wants to substitute by setting aside the order of the trial court.

4. The learned counsel for the respondent raised objections stating that the suit claim is more than Rs.2 Crores and therefore, the property which was offered by them is not sufficient.

5. Considering both the submissions, since two items were already sold which was now attached by the court below as such is erroneous one. Therefore, the attachment in respect of two items of the property is ordered to be deleted. Accordingly, the order passed by the trial court is liable to be set aside.

6. Accordingly, all the Civil Revision Petitions are allowed and the order dated 27.11.2024 passed in I.A.No.6 of 2022 & 2 of 2021 in O.S.No.397 of



2021, order dated 25.02.2025 passed in I.A.No.6 of 2022 & 2 of 2021 in O.S.No.398 of 2021 and the order dated 07.04.2025 passed in I.A.No.2 of 2022 in O.S.No.151 of 2022, on the file of the Principal District Court, Chengalpattu District, are set aside. However, at the time of argument, the learned counsel for the revision petitioners offered to give the residential house at Pallavaram at Flat No.1305, Block B, 13th Floor, Mantri Serene Apartment, 200ft road, Thoraipakkam Radial Road, Pallavaram East, Chennai-043. as security and accordingly till the disposal of the suit, also he is directed not to make any encumbrance over the property subject to the bank loan. No costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

16-04-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MTL

To

1. The Principal District Court, Chengalpattu District.



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CRP Nos. 3427, 3428, 4841, 5718 & 5721 of 2025 of 2
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T.V.THAMILSELVI, J.

MTL

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