IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 6960 of 2026 and
CMP No.2993 of 2026

CNR: {HCMA012306882026}

Case QR

1. Vetrigo Outdoor Services
   Rep.by its Proprietor, John Sebastian,
   No.15 (Old No.66), Mohamaden Street,
   Perambur, Chennai- 600 005.

2. John Sebastian, S/o Samson,
   No.15 (Old No.66), Mohamaden Street,
   Perambur, Chennai- 600 005.

3. Anna Mary John, S/o John Sebastian,
   No.15 (Old No.66), Mohamaden Street,
   Perambur, Chennai- 600 005.

..Petitioner(s)

Vs

C.S.Ravichandran, S/o Subhramanian,
No.2/3, Paper Mills Road,
Perambur, Chennai- 600 011.

..Respondent(s)

Prayer: Civil Revision Petition Iis filed under Section 115 of CPC to set aside the docket order passed by the Honble X Assistant City Civil Court, Chennai, dated 10.07.2026 in EA (SR) No.49129 of 2026 in EP.No.2276 of 2025.

For Petitioner(s): Mr. A.Mohammed Benazir
for Mr. S.Sivaraman

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ORDER

This Civil Revision Petition has been filed challenging the order of return passed by the Executing Court, returning the application filed by the petitioner seeking to set aside the attachment order dated 22.01.2026.

2. The respondent herein/plaintiff obtained a money decree against the petitioners in O.S.No.3590 of 2021 on the file of III Additional Judge, (FAC) II Additional City Civil Court, Chennai. The said decree was put into execution in E.P.No.2276 of 2025. In the said execution petition, attachment order was passed against the petitioner/judgment debtor on 22.01.2026. The petitioners filed an application to set aside the attachment order on 30.06.2026. Since the said application has been filed beyond the period of 30 days time stipulated under Order 21 Rule 106 CPC, relying on the order passed by this court in CRP No.808 and 809 of 2025, dated 26.06.2025, the Executing Court has returned the application as not maintainable. Aggrieved by the same, the petitioners have come before this court.

3. Order 21 Rule 106 CPC stipules time limit of 30 days. In the case on hand, admittedly, the petitioners filed an application beyond the period of 30 days. Therefore, relying on the order passed by this court in the above said civil revision petitions, the executing court rightly returned the application as not

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maintainable. I do not find any error in the impugned order passed by the Executing Court.

4. At this juncture, the learned counsel for the petitioners submits that challenging the dismissal of the leave to defend petition, the petitioners filed a revision before this court in CRP No.661 of 2024 and obtained an order stay and inspite of existance of order of stay, attachment order has been passed.

5. The order of stay passed in CMP No.3309 of 2024 in CRP No.661 of 2024 has been produced before this court. A perusal of the same would indicate that this court had granted order of stay for a period of four weeks from 07.03.2024. The petitioners have not produced any document to show that the said order of stay was subsequently extended. The impugned order of attachment was passed during January 2026, i.e. nearly two years, after the expiry of the said stay order. In such circumstances, the petitioners are not entitled to rely on the order passed by this court in CRP No.661 of 2024 to contend that inspite of existence of order of stay, the executing court has passed the impugned order of attachment.

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6. In view of the above discussion, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

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

MST

To

The X Assistant Judge,
City Civil Court, Chennai.

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S.SOUNTHAR, J.

MST

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