



WEB COPY

CRP No. 6550 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 6550 of 2025

M/s.Prathien Infrastructures,
Represented by its Partners
I. S.A.Ramachandran
II. Gowri @ Baby
Place of business at, No.222/12,
Thattamparai, Karugampalayam,
Coimbatore 641 668.

Petitioner(s)

Vs

M/s.K.K.Electricals
Rep. by its Proprietor, M.Mohan,
Having Company at
No.4, Jagajeevanram Street,
Kamarajapuram, Chennai-600 73.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Docket order dated 04.07.2023 made in E.P.No.1713 of 2023 on the file of the Ld. IX Assistant Judge, City Civil Court, Chennai by allowing this Civil Revision Petition.

For Petitioner(s): Mr.N.Manoharan
for Mr.D.Gopal

For Respondent(s): Mr.K.Govi Ganesan



ORDER

Heard Mr.N.Manoharan, learned counsel for the petitioner and Mr.K.Govi Ganesan, learned counsel for the respondent.

2. Mr.N.Manoharan, learned counsel for the petitioner states that admittedly an award passed by the Micro and Small Enterprises Facilitation Council (MSEFC), Chennai has been set aside by this Court earlier. However, in pursuance of the award, which was then in force, the Execution Petition was laid and the attachment has been ordered and effected. Hence, the present Civil Revision Petition has been filed invoking Article 227 of the Constitution of India, since there is no award and the attachment order has to necessarily go. He would also rely on the provisions of Order 21 Rule 55 of CPC.

3. Per contra, Mr.K.Govi Ganesan, learned counsel for the respondent though agreeing with the principle that the order of attachment may have to necessarily go, would however contend that despite the matter being remitted to the Council, the petitioners are not co-operating for the speedy disposal of the matter and they are protracting the proceedings before the Council. He also states that even yesterday, the matter was listed before the Council, and there was no representation on the side of the petitioners.



4. Be that as it may, there is no doubt with regard to the legal position.

Once the award of the MSEFC has been set aside, the attachment passed in pursuance of the said award cannot stand and has to necessarily go and this is the letter and spirit of Order 21 Rule 55 of CPC.

5. In the light of the above, I am inclined to allow the revision by setting the docket order dated 04.07.2023 made in E.P.No.1713 of 2023 on the file of the learned IX Assistant Judge, City Civil Court, Chennai. It is however made clear that the petitioner shall cooperate with MSEFC for expeditious disposal of the proceedings post remand in C.R.P.No.4377 of 2023 by order dated 25.06.2025. The Micro and Small Enterprises Facilitation Council shall afford fair opportunity to the parties before it to complete the proceedings. The said exercise shall be completed by the end of April, 2026. The Registry shall communicate this order raising the attachment order to the Sub Registrar, Karumathampatti, Coimbatore District. No costs.

13-02-2026

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Learned IX Assistant Judge, City Civil Court, Chennai.

2. The Sub Registrar, Karumathampatti, Coimbatore District.



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P.B.BALAJI J.
jd

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