



WEB COPY



C.R.P.(MD)No.917 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.04.2026**

CORAM

THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

C.R.P.(MD)No.917 of 2026

and

C.M.P.(MD)No.4250 of 2026

A.Saranya

... Petitioner

vs.

Jeyalakshmi

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the impugned fair and decreetal order passed in I.A.No.1 of 2025 in O.S.No.203 of 2024, dated 02.12.2025 on the file of the Principal Sub Court, Palani, Dindigul District and allow the Civil Revision Petition.

For Petitioner : Mr.A.Vadivel

ORDER

Heard Mr.A.Vadivel, for Civil Revision Petitioner/defendant.

2. This revision challenges the order of the learned Principal Subordinate Judge, Palani, Dindigul District in allowing the application for attachment.



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3. An application for attachment, when allowed, is susceptible for an appeal under Order XLIII Rule 1(q) read with Section 104 of the Code of Civil Procedure. The judgment relied upon by Mr.A.Vadivel in ***Su.Sabanayagam vs K.Selvaraj, C.R.P.No.1762 of 2025, dated 08.08.2025*** shows that it was a case where the plaintiff preferred a revision against the dismissal of an application filed under Order XXXVIII Rule 5. The present petitioner is the defendant, and hence, the said judgment would not factually apply to him. Furthermore, the learned Judge who dealt with the matter in the aforesaid case, did not go into the question of maintainability at all.

4. As an appeal is maintainable, I am not inclined to entertain the revision. Hence, this Civil Revision Petition is **dismissed** with liberty to prefer an appeal. Needless to add, the period spent in prosecuting the revision will stand excluded, in case, the defendant prefers an appeal before the appropriate Court. No costs. Consequently, the connected miscellaneous petition stands closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

06.04.2026



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Note to the Registry: The original of the certified fair and decreetal order filed along with the revision shall be returned to the Counsel on record after retaining the copy thereof and upon making the usual endorsement.

To:

The Principal Sub Court, Palani, Dindigul District.



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V.LAKSHMINARAYANAN, J.

Nsr

Order made in
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