



C.R.P. (MD) No. 2203 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE **N.SENTHILKUMAR**

C.R.P. (MD) No. 2203 of 2022

and

C.M.P. (MD) No. 10285 of 2022

Y.Kanagambal

... Petitioner

Vs.

R.Manoharan

... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order passed in C.M.A. No. 06 of 2020 dated 09.03.2022 on the file of the District Judge, Karur, in confirming the order passed by the trial Court in in I.A. No. 703 of 2018 in O.S. No. 712 of 2018 dated 01.10.2020 on the file of the Additional Subordinate Judge, Karur.

For Petitioner :Mr.K.Suresh

For Respondent :Mr.R.Devaraj



C.R.P. (MD) No. 2203 of 2022

WEB COPY

ORDER

This Civil Revision Petition challenges the order dated 09.03.2022 passed in C.M.A. No. 06 of 2020 on the file of the District Judge, Karur, (hereinafter referred to as the 'Appellate Court' for short) in confirming the order dated 01.10.2020 passed in I.A. No. 703 of 2018 in O.S. No. 712 of 2018 on the file of the Additional Subordinate Judge, Karur. (hereinafter referred to as the 'Trial Court' for short), attaching the property of the Defendant.

2.Heard Mr.K.Suresh, learned Counsel for the Petitioner and Mr.R.Devaraj, learned Counsel for the Respondent and perused the materials placed on record apart from the pleadings of the parties.

3.The parties are hereinafter referred to as by the description in the suit in O.S.No.712 of 2018 before the Trial Court for the sake of clarity and convenience. It has been brought to the notice of this Court by the learned Counsel appearing for the Plaintiff that the application for Attachment Before Judgment was filed on 31.08.2018 and the order of attachment was passed on 01.10.2020. In the meanwhile, the Defendant had mortgaged the property in the Bank of Baroda on 27.06.2019.



C.R.P. (MD) No. 2203 of 2022

4. Such creation of mortgage is evidently *lis pendens* in transfer of property, which cannot affect the rights of the Plaintiff. This Court does not find any reason to interfere with the impugned order passed by the Appellate Court, confirming the order of the Trial Court.

5. In that view of the matter, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

20.01.2026

Index : Yes/No

NCC : Yes/No

cmr

To:-

1. The District Judge, Karur.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P. (MD) No. 2203 of 2022

N.SENTHILKUMAR, J.

cmr

C.R.P.(MD)No.2203 of 2022

20.01.2026