



C.R.P. (MD) No. 3075 of 2023

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. 3075 of 2023
and
C.M.P. (MD). No. 15871 of 2023

P.Thanga Bai

... Petitioner

Vs.

T.Arul Raj

...Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order of the lower Court dated 18.07.2023 passed in I.A. No. 2 of 2022 in O.S. No. 113 of 2022 on the file of the Additional District and Sessions Judge, Padmanabhapuram and allow the Civil Revision Petition.

For Petitioner : Mr. R.J.Karthick

For Respondent : No Appearance

ORDER

This Civil Revision Petition invoking Article 227 of the Constitution of India, 1950, has been filed challenging the fair and decreetal order dated 18.07.2023 made in I.A. No. 2 of 2022 in O.S. No. 113 of 2022 on the file of



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the Additional District and Sessions Judge, Padmanabhapuram (hereinafter referred to as the 'Trial Court' for short). The parties are hereinafter referred to as per their description in the suit in O.S.No.113 of 2022 before the Trial Court for the sake of clarity and convenience.

2. Heard Mr. R.J.Karthick, Learned Counsel for the Plaintiff and perused the materials placed on record, apart from the pleadings of the parties.

3. The Trial Court was not satisfied with the circumstances under which the application for attachment before the judgment was made. However, it has not been sought.

4. Having regard to the rival contentions of the parties, I dismiss the said application.

5. On a perusal of the impugned order as well as the other material particulars, it appears that the factual disputes exist relating to the land itself, to be decided at the time of trial by adducing the evidence by the parties. However, this Court is not inclined to interfere with the impugned order. It does not bind with any of the parameters fixed by the Hon'ble Supreme Court



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in the case of **P.Madanagopal and others vs. N.Gangabavani** [2004 2 MLJ

123].

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6. Having been satisfied with the said inference, but, at the same time, having regard to the fact that the written statement has been filed as and when the suit was listed for trial, it shall be ensured that there shall be atleast one effective hearing every month showing progress of the case and quarterly reports in that regard shall be sent to the Registrar (Judicial) of the Court till final orders are passed in the case.

In the result, the Civil Revision Petition is dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

20.01.2026

Index : Yes/No

NCC : Yes/No

Indu

Note: If the quarterly report is not received from the Trial Court or it is reported either of the parties are not cooperating to comply with the aforesaid order, the matter shall be listed before the Court.



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N.SENTHILKUMAR, J.

Indu

To:-

- 1.The Additional District and Sessions Court,
Padmanabhapuram.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

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