

IA.No.1/2022 in OS.No.232/2022



IN THE COURT OF THE II ADDITIONAL DISTRICT JUDGE,
TIRUCHIRAPPALLI

Present : **Thiru. S. Gopinathan, B.Sc., B.L.,**
II Additional District Judge,
Tiruchirappalli.

Monday, the 15th day of June, 2026

IA.No.1/2022
in
OS.No.232/2022

T. Raja

...Petitioner/Plaintiff

/ Vs /

C. Shanmugasundaram

...Respondent/Defendant

This petition coming up before me on 15.06.2026 for final hearing in the presence of Thiru. K. Prabhakar, Advocate for the petitioner and of Thiru.A.Manoharan, Advocate for the respondent and upon perusing the petition, counter and other connected records and upon hearing the arguments of both sides and having stood over till this date for consideration, this court today delivers the following:

ORDER

The petitioner has filed this petition under Order XXXVIII Rule 5 and Section 151 of Code of Civil Procedure, to pass an order directing the defendant to furnish security for Rs.46,17,000/- (Rupees Forty Six Lakh Seventeen Thousand only) and in default of he doing so to pass an order of attachment before judgment of the petition mentioned immovable property of the defendant and also to grant an ad-interim exparte order of attachment to the said effect pending disposal of this petition.

2. The counter statement filed by the respondent has been considered.
3. Perused records. Except pro-note, no other documents filed by the petitioner/plaintiff. No documents filed for the source of money. No income tax documents or income source filed. No prima facie case exists for attachment before judgment. Hence, this petition is dismissed.

RESULT:-

In the result, this petition is dismissed.

Dictated directly to the stenographer in open court, typed by him, corrected, and pronounced by me in open court on this 15th day of June, 2026.

**II Additional District Judge,
Tiruchirappalli.
Date : 15.06.2026**

Petitioner's side witness : Nil

Petitioner's side documents :

Ex.P.1	01.05.2023	The Loan Clearance Certificate issued by Repco Home Finance Limited, confirming that Loan Account No. 1181814001567, pertaining to the loan of Rs.20,00,000/- availed by the respondent, has been fully settled – Original
Ex.P.2	01.05.2023	The Loan Clearance Certificate issued by Repco Home Finance Limited, confirming that Loan Account No.1181820003504, pertaining to the loan of Rs.1,25,00,000/- availed by the respondent, has been fully settled – Original
Ex.P.3	01.05.2023	The Loan Clearance Certificate issued by Repco Home Finance Limited, confirming that Loan Account No.1181814002247, pertaining to the loan of Rs.20,00,000/- availed by the respondent, has been fully settled – Original
Ex.P.4	18.09.2024	Encumbrance Certificate for the period from 15.04.1999 to 17.09.2024 – Downloaded copy

Respondent's side witness : Nil

Respondent's side documents :

Ex.R.1	16.02.2007	Gift Settlement Deed – Certified copy
Ex.R.2	24.01.2025	Encumbrance Certificate – Downloaded copy
Ex.R.3	24.07.2012	The Natham Land Tax Scheme 'A' Register (Adangal Register) pertaining to S. Kannanur West Village, issued by the Village Administrative Officer – True copy (Objection raised by the petitioner while marking the documents)
Ex.R.4	26.02.2019	The newspaper publication of the possession notice issued by Repco Home Finance Limited in respect of the respondent's immovable properties – Original

Ex.R.5	21.10.2021	E-Auction Sale Notice issued by Repco Home Finance Limited – Original
Ex.R.6	-	The prescription issued by Vishranthi Mental Health Medical Centre upon examination of the respondent, together with the CT scan report and corresponding doctor's note issued by Trichy Premier CT Scan Private Limited, and the thyroid function test report issued by Thyrocare in respect of the respondent – Certified copy (Objection raised by the petitioner while marking the documents)
Ex.R.7	-	The complaint letter dated 01.04.2022 sent by Suresh seeking police protection to the Special Cell of the Hon'ble Chief Minister of Tamil Nadu and other police authorities – Photostat copy & six acknowledgement cards and six postal receipts – Original
Ex.R.8	-	The complaint letter dated 16.06.2022 sent by Suresh seeking action against persons alleged to have fraudulently filled up cheques and extorted money, addressed to the the Special Cell of the Hon'ble Chief Minister of Tamil Nadu and other police authorities – Photostat copy & six acknowledgement cards and five postal receipts – Original
Ex.R.9	26.06.2022	The advocate's notice issued by the petitioner to the respondent, together with the postal cover – Office copy
Ex.R.10	30.06.2022	The reply notice issued by the respondent to the petitioner, together with the postal receipt – Office copy
Ex.R.11	-	Acknowledgment Card – Original
Ex.R.12	-	The duplicate plaint in O.S. No. 74 of 2018, along with the petition in I.A. No. 110 of 2018 in O.S. No. 74 of 2018, filed by the Executive Officer, S.

		Kannanur, against T. Chinnaiyan before the III Additional District Court, Tiruchirappalli – Photostat copy & Notices to the respondents (2 in number) – Original (Objection raised by the petitioner while marking the documents)
Ex.R.13	-	The written statement and counter filed by the respondent, T. Chinnaiyan, in O.S. No. 74 of 2018 and I.A. No. 110 of 2018 in O.S. No. 74 of 2018 respectively – Photostat copy (Objection raised by the petitioner while marking the documents)

**II Additional District Judge,
Tiruchirappalli.
Date : 15.06.2026**