

NO.1/52, THIRUMALAI

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

C.R.P.(MD).Nos.607 & 609 of 2024

N.PAPPUJI

... PETITIONER/PETITIONER/3RD PARTY
IN CRP(MD)NO.607/2024

K.VELUSAMY

... PETITIONER/PETITIONER/3RD PARTY
IN CRP(MD)NO.609/2024

Vs

1 P.BALAKRISHNAN

...1ST RESPONDENT/1ST RESPONDENT/
PLAINTIFF

2 M.CHINNAPONNU

3 P.RAJESWARI

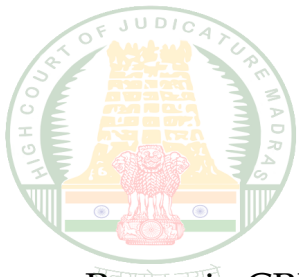
4 MINOR.KAVYA

5 MINOR.CHARUBALA

6 MINOR.CHANDRAKANTH

...2ND TO 6TH RESPONDENT/
2ND TO 6 TH RESPONDENT/ DEFENDANT
IN BOTH CASES

(MINORS 4 TO 6 REPRESENTED BY THEIR MOTHER
AND NATURAL GUARDIAN NO.3)



NO.1/52, THIRUMALAI

Prayer in CRP(MD). 607/ 2024 :

WEB COPY Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order in I.A.No.5/2019 in I.A.No.473 /2017 and 3rd party in O.S.No.691 of 2017 dated 18-07-2023 on the file of the IV th Additional Sub-ordinate Judge, Tiruchirappalli, and thus render justice.

Prayer in CRP(MD). 609/ 2024 :

Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order in I.A.No.06/2019 in I.A.No.473/2017 and 3rd party in O.s.No.691/2017 dated 18-07-2023 on the the file of the IV Additional Subordinate Judge, Tiruchirappalli and thus render justice.

ORDER : These Civil Revision petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of MR.K.R.KISHORE RAM, Advocate for the petitioner in both cases, the court made the following order:-

Suit in O.S.No.16 of 2017 was filed for recovery of money by the respondents on the basis of the pronote. Along with the plaint a petition was taken out by the plaintiff under Order 39 Rule 5 of C.P.C. to attach the property of the Judgment Debtor. Later he remained exparte. The property came to be attached on 14.12.2018 and the learned counsel for the petitioner would submit that without the knowledge about either the pendency of suit or with regard to the order of attachment or with regard to the notice to produce the security, he purchased the property on 08.11.2017. On that basis, he filed a claim petition to remove the attachment, that was dismissed. The order was passed directing the Judgment Debtor to produce the security on 17.06.2017 itself. According to the trial Court, he is not bonafide purchaser. Against



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which, these revision petitions have been filed.

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2. Notice to the first respondent returnable by 02.04.2024, since it has been stated that the original defendants in the suit remain exparte till now. Private notice is also permitted.

3. Let the further process in respect of the attachment alone be kept in abeyance.

sd/-
06/03/2024

/ TRUE COPY /

/03/2024

Sub-Assistant Registrar (CS- I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

THE IV TH ADDITIONAL SUB-ORDINATE JUDGE, TIRUCHIRAPPALLI,

ORDER
IN

C.R.P.(MD).Nos.607 & 609 of 2024

Date :06/03/2024

RK/JGB(13/03/2024) 3P / 2C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023