



CRP(MD). No.96 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Eighteenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRP(MD). No.96 of 2024

Berla Pushpa Rani

... Petitioner

Vs

**1. Indian Overseas Bank,
No.763, Anna Salai,
Chennai - 600 002.
Represented by its
duly authorized agent and
Branch Manager,
Mangarai Branch,
Killiyoor Village,
Vilavancode Taluk,
Kanyakumari District.**

**2. Garnishee,
The Canara Bank,
Marthandam Branch,
Marthandam,
Kanniyakumari District.**

... Respondents

Prayer :-

Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the order dated 03.11.2023 passed in I.A. No.1 of 2023 in O.S. No.176 of 2023 on the file of the Subordinate Judge, Kuzhithurai.

<https://www.mhc.tn.gov.in/judis>



CRP(MD). No.96 of 2024

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ORDER:- This Revision Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. R.Nandakumar, Advocate for the Petitioner, this Court made the following order:

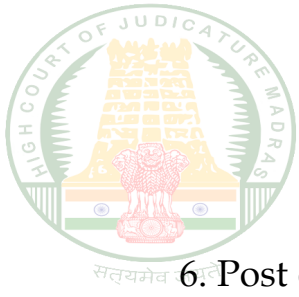
On the ground that the petitioner was not served with any notice in I.A.No.1 of 2023, the present Civil Revision Petition has been filed.

2.The learned counsel for the petitioner would submit that only suit notice was served upon the petitioner for the hearing on 25.08.2023 and he appeared through an Advocate before the trial court and on that day, it was not brought to his notice that I.A.No. 1 of 2023 was already pending.

3.In view of the order passed on 07.06.2023, the Registry is directed to call for a report from the Subordinate Judge, Kuzhithurai as to whether notice was served in I.A.No.1 of 2023 and if so, copy of notice shall be sent along with the report. The report along with copy of notice shall reach this Court on or before 20.02.2024.

4.In the meantime, further proceedings in I.A.No.1 of 2023 alone shall be kept in abeyance.

5. Notice to the respondents returnable by 20.02.2024. Private notice is also permitted.



CRP(MD). No.96 of 2024

6. Post on 20.02.2024.

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Sd/-

Assistant Registrar(CS I)

// True Copy //

/01/2024

Sub Assistant Registrar
(CS - I/ II / III /IV)

TO

1 The Subordinate Judge, Kuzhithurai.

2. The duly authorized agent and

Branch Manager,

Indian Overseas Bank,

No.763, Anna Salai,

Chennai - 600 002.

Mangarai Branch,

Killiyoor Village,

Vilavancode Taluk,

Kanyakumari District.

3. Garnishee,

The Canara Bank,

Marthandam Branch,

Marthandam,

Kanniyakumari District.

Copy to:

The Section Officer,

Judicial Section,

Madurai Bench of Madras High Court, Madurai



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CRP(MD). No.96 of 2024

ORDER DATED : 18/01/2024

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ORDER

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CRP(MD). No.96 of 2024

Giving direction and etc.
as stated within.

MK/23.01.2024 4P 5C

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