

**IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL
MAGISTRATE COURT, MADHAVARAM
PRESENT: Tmt.P.Deepa, B.A.,B.L.L.L.M.,
DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MADHAVARAM**

On Friday, this the 05th June 2026

E.P.No.24/2022

in

ACP.No.138/2021

M/s.Shriram City Union Finance LTD.,

Rep. by its authorized signatory

G.Elayaraja

... Petitioner/Decree Holder

/Vs/

Karthick

...Respondent/ Judgment Debtor

This Execution Petition is coming on 05.06.2026 for final hearing before me, in the presence of M/s. Ms.A.Kannagi, Ms.P.Aswini Counsels for Decree Holder and M/s. Mr.M.Jayseelan Counsel for Judgment Debtor subsequently the Judgment Debtor set exparte for non filing of counter and upon perusing the records and having stood over for consideration till this day, this court delivered the following:

ORDER

This Execution Petition has been filed under Order XXI Rule 43 & 64 of CPC to issue a warrant for attachment and sale of movable properties belongs to the Judgment Debtor to realize the E.P claim of Rs.96910/- on the basis of award was passed in ACP.No.138/2021 dated 08.05.2021.

The Petition averments in brief:

The decree holder states that an arbitration proceedings in ACP.No.138/2021 was awarded on 08.05.2021. The JD is liable to repay a sum Rs.78450/- together with interest at 18% p.a from the date of claim till the date of realization. The JD have not filed any appeal against the award dated 08.05.2021. Hence this Execution Petition was filed by the decree

holder against JD for attachment and sale of movable properties mentioned in the EP schedule for sum of Rs.96910/-.

1. The JD was called absent, no representation and set exparte on 07.04.2025.
2. The point for consideration is whether this petition deserves to be allowed or not?

On Point:

No oral and documentary evidence on the side of decree holder. An arbitration proceedings in ACP.No.138/2021 was awarded on 08.05.2021. Against the said award, the Judgment Debtor has not filed any document to prove to have preferred any appeal within the time prescribed by law. Hence the award attained finality and it is an executable one and this petition is maintainable against the Judgment Debtor. The Judgment Debtor have failed to satisfy the Award. The decree holder has stated that the movable properties sought to be attached which are described in the schedule of the petition belongs to the J.D and the same are in possession of Judgment Debtor.

Therefore, the decree holder is entitled to the relief by attach and sale of the movable property as per schedule in the E.P form towards satisfaction of the award. Accordingly the point is answered.

Result:-

In the result, this Execution petition is allowed against the Judgment Debtor and ordered to attach and sale of the schedule mentioned movable properties belonging to the Judgment Debtor. The attachment of movables by 06.07.2026. No order for costs.

Dictated by me to the Steno-Typist, typed by her, corrected and pronounced by me in the Open Court on the 05th day of June 2026.

**District Munsif cum Judicial Magistrate,
Madhavaram**