

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE,
CHENGALPATTU DISTRICT.**

Present : **Thiru.T.Chandrasekaran, M.L.,**
Principal District Judge,
Chengalpattu.

Thursday the 20th day of November, 2025

Execution Petition No.46 of 2014
(Suit No.798 of 2006 / Q, on the file of Hon'ble High Court of the
Republic of Singapore)

CNR.No.TNCG01-001195-2014

1. Kamla Lal Hiranand

2. Shaon Lal Hiranand . . . Petitioner / Decree Holders.

/Vs/

Easwar Srikumar . . . Respondent / Judgment Debtors.

This petition came up before me for final hearing on 12.9.2025, in the presence of Tvl.Rahul K.Jain, Avinash Sharma and Mohammed Mudassirali, Advocates for the petitioners and Thiru.A.Siddique Ali, Advocate for the respondent, upon hearing the arguments of petitioner's counsel, perusing the entire records and having stood over the matter for consideration till this day, this court delivers the following,

ORDER

This execution petition is filed by the petitioners under Order 21 Rule 43 and 66 of CPC, to hand over movable properties handed over

by the Decree Holders to the Judgment Debtors namely all documents, papers, audio tapes, micro cassetts, microfiche etc., which :- (i) had been handed by or on behalf of the Decree Holders wheresoever and whensoever to the Judgment Debtor for his safekeeping, safe custody or for him to advise or perform services for the Decree Holders and (ii) had been obtained, acquired, made, or produced wheresoever and whensoever by the defendant for or on behalf of the Decree Holders for which payment had been made by the Decree Holders to him in respect thereof, **(b)** issue warrant of attachment / the Order of seizure and restrain the Judgment Debtor from creating any third party right or interest or making any transfers or sharing information or destroying the said movable properties, **(c)** issue an Order of arrest in the event of failure on the part of the Judgment Debtor to comply with the Order passed by the Hon'ble High Court of the Republic of Singapore dated 4.2.2010 in Suit No.798 of 2006/Q.

2. The averments set out in the petition filed by the petitioners briefly read as follows :

The EP arises out of the Judgment and Decree in Suit No.798 of 2006 / Q on the file of the Hon'ble High Court of the Republic of Singapore filed by the petitioners herein, wherein the defendant has not appeared before the said court and an Interlocutory Judgment was passed on 4.2.2010 for delivery of movable property of defendant and for

damages. Now this EP is filed for **(a)** to direct the Judgment Debtors to hand over movable properties namely all documents, papers, audio tapes, micro cassettes, microfiche etc., which :- (i) had been handed by or on behalf of the Decree Holders wheresoever and whensoever to the Judgment Debtor for his safekeeping, safe custody or for him to advise or perform services for the Decree Holders and (ii) had been obtained, acquired, made, or produced wheresoever and whensoever by the defendant for or on behalf of the Decree Holders for which payment had been made by the Decree Holders to him in respect thereof, **(b)** issue warrant of attachment / the Order of seizure and restrain the Judgment Debtor from creating any third party right or interest or making any transfers or sharing information or destroying the said movable properties, **(c)** issue an Order of arrest in the event of failure on the part of the Judgment Debtor to comply with the Order passed by the Hon'ble High Court of the Republic of Singapore dated 4.2.2010 in Suit No.798 of 2006/Q.

3. The averments set out in counter filed by the respondent briefly read as follows :

If the EP is for decreed amount of 54 crores which is abundant at the foot note, the asset is much more valuable than the claimed sum of Rs.54 crores. They have clearly avoided to mention their owing for work done for over 6 years from 1995 to 2001. After a lapse of 15 years the plaintiffs having exhausted all the averments at various forums in the High

Court of Singapore and Hongkong, now realize the respondent's knowledge of value of estate which sums to some hundred million dollars parked in various tax havens. They have realized their mistake of not paying his dues on time as well as the various law forums involved in the estate of late M.H.R. This case has to be seen in the light that the Judgment Debtor was at all material confidence to both families of the decree holders and their entire family had granted G.P.A.s to the J.D. It is to be noted that the J.D. had duly discharged himself 15 years ago and even at this age cannot be held responsible for fiduciary sufficiency which now has been realized by the decree holders as fiduciary em-propriety. The Interlocutory Judgment dated 4.2.2010 passed in S.No.798/2006/Q by the Hon'ble High Court of the Republic of Singapore against the defendant is an exparte judgment and the same is liable to be set aside for the reason that no notice or summons was served on the respondent in respect of the above suit. In fact the plaintiffs wantonly have sent the summons to the respondent's previous rented residential address with wrong address for the purpose of showing that "addressee not found". The plaintiff was aware of respondent's permanent address at Delhi. But they have not taken any steps to send the summons to his permanent address.

3 (i) The respondent was the spiritual Head and Chairman of Sri Sakthi Vilas Mission. He and his wife were appointed as Executors in the Will dated 18.12.1999 executed by Lal Mangammal Hiranand (LMH). The

1st plaintiff Kamala granted Special power of attorney in favour of the respondent on 11.9.1998 and all acts done by the respondent are covered under such articles as explained and no breach was made by the respondent between 11.9.1998 to 28.9.2001 when the respondent discharged himself acting for Kamala. On 28.5.2001 the 1st plaintiff has executed a deed of release and discharge to and in favour of the respondent in which she has released and discharged all actions, proceedings, claims, demands, obligations, liabilities of whatsoever kind or nature, in law, equity or otherwise which she have had or may have had against the respondent in relation to the retrieve, storage and safekeeping of various jewelry and other miscellaneous items. The said deed of release and discharge was duly executed on 28.5.2001 notarized by the Notary Public at Singapore and the same is on High Court records at Singapore.

3 (iii) Kamala's ex-husband executed general power of attorney in favour of respondent on 18.8.1999 and entrusted various documents in trust and upon request for return of such documents given by Lal, the same delivered in good faith cannot be construed as fiduciary breach as alleged by the 1st plaintiff Kamala. There is no connection of whatsoever for the documents handed over by Lal and the documents mentioned in the schedule of the Execution Petition. The 1st plaintiff Kamala had taken possession of over US \$ 6 million worth of jewelry and on 5.12.2000 the 1st plaintiff removed the jewelry from various bank lockers in Singapore

without Lal's consent and this facts find no place in the suit and in matrimonial assets declared in Hongkong proceedings. The suit filed by the plaintiffs after a lapse of 15 years, after all her attempts to extract monies from her ex-husband Lal were dismissed in the Supreme Court of Singapore. In the deed of release and discharge executed by the 1st plaintiff the word "miscellaneous items" refers only to the various documents of tapes, cassettes, photographs, album, keys, investigation reports and the accounts for the expenses during the period 1998 to 2001. In fact what are all handed over to the respondent have been received back by the plaintiffs and then only the 1st plaintiff had executed the deed of release and discharge to and in favour of the respondent on 28.5.2001. The respondent is taking steps to file petition to set aside the exparte judgment and decree passed against him in the High Court of Singapore. Hence, prayed for dismissal of execution petition.

4. The point for consideration is :

Whether the decree is deserved for execution by this court?

5. On point :

The fact that the petitioners obtained decree from the Hon'ble High Court of the Republic of Singapore dated 4.2.2010 in Suit No.798 of 2006/Q is not in dispute and of course it is only an exparte decree. Nevertheless it is rudimentary in law that the exparte decree per se is executable by court of law. Notwithstanding the plea of defense raised by

the respondent that on 28.5.2001 the 1st plaintiff had executed a deed of release and discharge to and in favour of the respondent in which she has released and discharged all actions, proceedings, claims, demands, obligations, liabilities of whatsoever kind or nature, in law, equity or otherwise which she have had or may have had against the respondent in relation to the retrieve, storage and safekeeping of various jewelry and other miscellaneous items, the said deed of release and discharge was duly executed on 28.5.2001 notarized by the Notary Public at Singapore, the same is on High Court records at Singapore and the respondent is taking steps to file petition to set aside the exparte judgment and decree passed against him in the High Court of Singapore, there is no such record evidencing the exparte decree was set aside by the High Court of Singapore pressed into service on the side of the respondent herein.

6. In such circumstances this executing court has to go by the interlocutory judgment/decreed obtained by the petitioners in their favour from the court of competent jurisdiction and as such there is no impediment for this executing court to order E.P accordingly.

7. In the result, the respondent/Judgment Debtor is directed to hand over movable properties namely all documents, papers, audio tapes, micro cassettes, microfiche etc., which :- (i) had been handed by or on behalf of the Decree Holders wheresoever and whensoever to the Judgment Debtor for his safekeeping, safe custody or for him to advise

or perform services for the Decree Holders and (ii) had been obtained, acquired, made, or produced wheresoever and whensoever by the defendant for or on behalf of the Decree Holders for which payment had been made by the Decree Holders to him in respect thereof. Time 2 months. Otherwise attachment will follow.

Typed to my dictation, corrected and pronounced by me in open court, on this the 20th day of November, 2025.

Principal District Judge,
Chengalpattu.

Both side witness and exhibit :
Nil.

Principal District Judge,
Chengalpattu.