

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

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

Wednesday the 18th day of March, 2026

**Execution Petition No.183 of 2017**

M/s. Haven Foundation (P) Ltd.,

Represented by its C.E.O.

Mr.D.R.J.Kothandaraman,

Saidapet, Chennai - 600 015.

. . . Petitioner / Claimant.

/Vs/

1. Anita Asokan

2. Amrita Asokan

3. A.Asokan

4. Padma Asokan

. . . Respondents/ Respondents.

This petition came up before me on 02.02.2026 for final hearing in the presence of Tvl.J.T.Rajasuriya, N.S.Amarnath and T.Thanigaivel, Advocates for the petitioner and Tvl.J.Baskaran, D.Sathish and R.Venkatesh, Advocates for the respondents 1 to 4, upon hearing the arguments of both side counsels, perusing the entire records and having stood over the matter for consideration till this day, this court delivers the following,

**ORDER**

This petition is filed by the petitioner / claimant under Order 21 Rule II(A) of CPC for attachment and sale of immovable properties belonging to the respondents 1 to 4, morefully described in the petition schedule.

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

The petitioner company represented by its CEO has filed an Arbitration Petition before the Arbitral Tribunal, Chennai, which was held at Madras High Court Arbitration Centre, against the respondents wherein an Award was passed on 01.10.2016. An Award was passed by the Arbitration Tribunal for a sum of Rs.15,00,000/- to be paid by the respondents 3 and 4 to the petitioner with interest at the rate of 12% per annum on Rs.15,00,000/- from 20.5.2013 to 04.03.2017 and for a sum of Rs.43,500/- to be paid by the respondents 1 to 4 to the petitioner with interest at the rate of 12% per annum on Rs.43,500/- from 20.05.2013 to 04.03.2017. The total amount awarded by the Arbitration Tribunal is Rs.24,80,140 including costs, legal expenses and E.P. fees. Since the respondents have not paid the amounts awarded by the Arbitration Tribunal on 01.10.2016, the present Execution Petition is filed for attachment and sale of petition mentioned immovable properties belonging to the respondents 1 to 4 for realization of the EP amount. From the total EP amount, the 3rd and 4th respondents have to pay a sum or Rs.21,60,000/- and the 1st and 2nd respondents have to pay a sum of Rs.3,20,140/-. Hence, the petition.

3. Though the respondents entered appearance through their counsel, they did not file counter, however they started paying the EP amount on instalments.

4. Pending EP the petitioner / Decree Holder has filed a Memo of calculation on 04.12.2019 stating that the respondents / Judgment Debtors are liable to pay the sum of Rs.8,95,180/- as on 15.10.2019 and the same is pending for filing of objection by the respondents / Judgment debtors.

5. Again on 29.08.2025, the petitioner / Decree Holder has filed a Memo of calculation stating that the respondents / Judgment debtors are liable to pay a sum of Rs.9,72,711/- as on 30.07.2025 for which the respondents / Judgment debtors have filed a Memo stating that they have already paid a sum of Rs.23,50,000/- towards the EP amount and both the Memos are kept filed with the execution petition.

6. On 02.02.2026 an objection memo was filed by the respondents / Judgment Debtors alleging that they have periodically paid the EP amount on various dates by way of cheques totaling to a sum of Rs.23,50,000/- and the same have been acknowledged by the petitioner / Decree Holder and the remaining balance to be paid is a sum of Rs.3,34,414/- (i.e.,  $\text{Rs.}26,84,414 - 23,50,000 = \text{Rs.}3,34,414/-$ ) only. The further allegation made by the respondents / Judgment debtors is that they have already paid an exorbitant interest to the petitioner / Decree Holder at the rate of 36% per annum; the respondents / Judgment debtors have expressed their willingness to settle the dispute between them, but without any consideration, the petitioner / Decree holder has filed a calculation memo with the same exorbitant rate of interest which is against law.

7. On perusal of records, the respondents / Judgment debtors have paid the EP amount on various dates, the particulars which are as follows :

| Sl. No. | Date of payment before this court | Amounts paid           | Cheque Nos. & Date     |
|---------|-----------------------------------|------------------------|------------------------|
| 1.      | 23.03.2018                        | Rs. 2,00,000/-         | 286157 dt., 22.03.2018 |
| 2.      | 13.06.2018                        | Rs. 2,00,000/-         | 302709 dt., 20.06.2010 |
| 3.      | 25.04.2018                        | Rs. 2,00,000/-         | 166681 dt., 23.04.2018 |
| 4.      | 16.07.2018                        | Rs. 2,00,000/-         | 302710 dt., 20.07.2018 |
| 5.      | 16.08.2018                        | Rs. 2,00,000/-         | 166684 dt., 16.08.2018 |
| 6.      | 10.09.2018                        | Rs. 2,00,000/-         | 166685 dt., 10.09.2018 |
| 7.      | 10.10.2018                        | Rs. 2,00,000/-         | 166686 dt., 10.10.2018 |
| 8.      | 05.12.2018                        | Rs. 2,00,000/-         | 313301 dt., 05.12.2018 |
| 9.      | 06.03.2019                        | Rs. 2,00,000/-         | 313342 dt., 04.02.2019 |
| 10.     | 23.04.2019                        | Rs. 1,00,000/-         | 323057 dt., 23.04.2019 |
| 11.     | 11.07.2019                        | Rs. 1,00,000/-         | 323092 dt., 11.07.2019 |
| 12.     | 09.08.2019                        | Rs. 1,00,000/-         | 323100 dt., 05.08.2019 |
| 13.     | 03.10.2019                        | Rs. 1,00,000/-         | 323116 dt., 08.09.2019 |
| 14.     | 03.10.2019                        | Rs. 50,000/-           | 323125 dt., 17.09.2019 |
| 15.     | 21.11.2019                        | Rs. 50,000/-           | 337355 dt., 30.10.2019 |
| 16.     | 20.07.2022                        | Rs. 50,000/-           | 245461 dt., 20.07.2022 |
|         | <b>Total</b>                      | <b>Rs. 23,50,000/-</b> |                        |

The above said amounts were received by the petitioner / Decree Holder and the same were duly acknowledged by the counsel for petitioner / Decree Holder. The main claim of the respondents / Judgment debtors is that they have totally paid a sum of Rs.23,50,000/- out of the total realization amount of Rs.26,84,414/- and hence, the respondents/ Judgment debtors have to pay the remaining amount of Rs.3,34,414/- to the petitioner / Decree Holder. It is true,

that the total amount mentioned in the execution petition is Rs.24,80,140/- only, and adding the interest levied at the rate of 12% per annum on the periodical outstanding amount, the above comes to Rs.9,72,711/- as on 30.07.2025. While so the respondents insisting for settlement of the issue by remitting Rs.3,34,414/- is not acceptable for the petitioner / Decree holder. In such circumstances this court has no other go, except to proceed further in the case.

**8. In the result, the petition in E.P.No.183/2017 is allowed. Attach by 03.06.2026. Attachment batta in 3 days.**

Typed to my dictation, corrected and pronounced by me in open court, on this the 18th day of March, 2026.

Principal District Judge,  
Chengalpattu.

Both side witness and exhibit :  
Nil.

Principal District Judge,  
Chengalpattu.