

**IN THE COURT OF SUBORDINATE JUDGE,
MADURANTAKAM.**

**Present: Mr. T. GANESH, B.A., B.L.,
Subordinate Judge,
Madurantakam.**

**Saturday, this 18th day of April, 2026
E.P No. 3/2026
in
O.S No. 143/2023
(CNR.No.TNCG13 – 000072-2026)**

R.S. Narasimman

...Petitioner/Plaintiff/Decree Holder

// Vs //

R. Parthiban

...Respondents/Defendant/Judgment Debtors

This petition coming before me on 30.03.2026 for final hearing in the presence of Mr.S.Rajkamal, Counsel for the Petitioner/Plaintiff/Decree Holder and Respondent/Judgment Debtor was called absent and set ex-parte and upon hearing arguments on the side of the Decree Holder and having stood over for consideration till this day, this court delivers the following:-

ORDER

1. The petitioner has filed this petition under Order XXI Rule 37 and 38 of the Civil Procedure Code praying for an order to arrest the Respondent/Judgment Debtor and commit him to civil jail.

2. Petitioner alleged that inspite of Judgment passed by this court, the respondent failed to comply and hence this petition.

3. In spite of notice the respondent failed to appear and hence he was set exparte.

4. Heard and perused.

5. The petitioner has filed this petition for arrest of the Respondent/Judgment Debtor for realization of sum of Rs.5,41,328.00/- in lieu of decree passed on 17.10.2025. Notice to the Respondent/Judgment Debtor served and inspite he failed to defend and hence he was called absent and set exparte on 09.03.2026. Further it is pertinent to note that there is no materials placed before this court that the decree passed by this court was set aside or varied, muchless stayed by Appellate Court. Petitioner also examined himself and depose that the respondent having sufficient movable and immovable properties and inspite he didn't obey the order of the court. So, there is no bar to grant relief as the petitioner unable to realise the fruits of the decree. Respondent failed to satisfy the decree, inspite of having sufficient means. Hence this court inclines to grant the relief as prayed by the petitioner and this point is decided accordingly.

6. Result:

In the result petition is allowed with costs. Arrest the Respondent/Judgment Debtor. Call on 08.06.2026. Batta in 3 days.

Dictated to the Steno Typist directly, typed by him, corrected and pronounced by me in open court this the 18th day of April, 2026.

Subordinate Judge,
Madurantakam

Petitioner/Decree Holder side witnesses:-

PW1 : R.S. Narasimman

Petitioner/Decree Holder side documents:- Nil

Respondent/Judgment Debtor side witnesses:- Nil

Respondent/Judgment Debtor side documents:- Nil

Subordinate Judge,
Madurantakam.

TNCG130000722026



DRAFT ORDER
E.P. No. 3 of 2026
in
O.S No. 143/2023
D.O.D. 18.04.2026
SUB JUDGE,
MADURANTAKAM