

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

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

**Monday, this 20th day of July, 2026
E.P No. 8/2026
in
M.C.O.P No. 182/2022
(CNR.No.TNCG13 – 000128-2026)**

1. Tamilselvi
2. Jaiganesh
3. Umasankar

...Petitioners/Petitioners
/Decree Holders

// Vs //

1. Mahalingam
2. Venkatesan

...Respondents/Respondents
/Judgment Debtors

This petition coming before me on 13.07.2026 for final hearing in the presence of M/s. K.Thilagaraj and K.Ganesan, Counsels for the Petitioners/Decree Holders and Respondent/Judgment Debtors were 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 petitioners have filed this petition under Order XXI Rule 37 and 38 of the Civil Procedure Code praying for an order to arrest of the respondents/judgment

debtors and their committal to civil prison.

2. Petitioners alleged that inspite of award passed by this court, the respondents failed to comply and hence this petition.

3. Though the respondents appeared through their counsel, they failed to file counter and hence they were set exparte.

4. Heard and perused.

5. The petitioners have filed this petition for arrest of the respondents/judgment debtors and their committal to civil prison for realization of sum of Rs.14,23,661.00/- in lieu of order passed on 22.12.2023. Notice to the Respondents/Judgment Debtors served and inspite they failed to file counter and defend this petition. Hence they were called absent and set exparte on 06.07.2026. Further it is pertinent to note that there is no material placed before this court that the decree passed by this court was set aside or varied, muchless stayed by Appellate Court. The 1st petitioner also sworn into affidavit that the respondent inspite of having sufficient means, failed to pay the amount. So, there is no bar to grant relief as the petitioners unable to realise the fruits of the award even after three years from the date of passing of award. Petitioner also deposed that the respondents inspite of having sufficient means, failed to satisfy the award. Hence this court inclines to grant the relief as prayed by the petitioners and this point is decided accordingly.

6. Result:

In the result petition is allowed with costs. Arrest the respondents. Call on 20.08.2026. Batta in 3 days.

Dictated to the Steno Typist directly, typed by him, corrected and pronounced by me in open court this the 20th day of July, 2026.

Subordinate Judge,
Madurantakam

Petitioner/Decree Holder side witnesses:-

PW1 : Tamilselvi (1st petitioner)

Petitioner/Decree Holder side documents:- Nil

Respondent/Judgment Debtor side witnesses:- Nil

Respondent/Judgment Debtor side documents:- Nil

Subordinate Judge,
Madurantakam.

TNCG130001282026



DRAFT ORDER
E.P. No. 8 of 2026
in
M.C.O.P No. 182 of 2022
D.O.D. 20.07.2026
SUB JUDGE,
MADURANTAKAM