

IN THE COURT OF THE SUBORDINATE JUDGE, ERANIEL

Present: Thiru.K. SELVAPANDI, B.A., B.L.,

Sub Judge, Eraniel

Friday, the 10rd day of November 2023

E.P.No.68/2022

in

E.P.No.137/2020

in

A.C.P.T.F.No. 07/2019

M/s. Shriram City Union Finance Ltd.,

Having their registered office at 123

Angappa Naicken Street, Chennai

..Petitioner/Claimant/
decree Holder

//Versus//

1. T. Raja

2. R. Maryanisha

... Respondents/Respondents/
Judgment Debtors

This petition coming on for final hearing before me on 03.11.2023 in the presence of in the presence of Thiru. G. Sivaraja Boopathy, Advocate for the petitioner and the respondents having remained exparte and upon hearing the arguments on the side of petitioner and upon perusing the records, this court delivered the following:

ORDER

This is an execution petition to execute Arbitration award passed on 14.12.2019 by way of attachment and sale of immovable property of the Judgment Debtors.

2. Admittedly the petitioner/Decree Holder filed the Arbitration case before the sole Arbitrator at Tirunelveli in Arbitration case No. 7/2019 and the award was passed in the said case directing the Judgment Debtors to pay the award amount with interest. The award was passed on 14.12.2019. But the Judgment Debtors have not come forward to pay the award amount.

3. Now the petitioner has filed this Execution Petition to execute the award by way of attachment and sale of immovable property belongs to the Respondent/1st Judgment Debtor.

4. Though notice was served on 2nd respondent she failed to appear and was decided exparte. Substituted service was effected for 1st respondent and the 1st respondent was decided exparte. Hence there is no objections on the side of the respondent/ judgment debtor as to as to why the award should not be executed. Hence there is no objections on the side of the respondent/1st Judgment debtor as to why the execution petition should not be allowed. Therefore there is absolutely no reason as to why the award should not be executed. Hence this court is of the view of the execution petition is liable to be allowed.

In the result this execution petition is allowed with costs. Attach by 1.12.2023.

Dictated by me to the Steno-typist and typed by her in the computer, corrected and pronounced by me in open court, this the 10th day of November 2023.

**Subordinate Judge,
Eraniel.**