

**IN THE COURT OF THE II ADDITIONAL DISTRICT & SESSIONS JUDGE,  
THANJAVUR.**

**Present :Thiru. P.Nagarajan, M.A.,M.L.,  
II Additional District & Sessions Judge, Thanjavur.**

**Tuesday the 27th day of January 2026  
(Thiruvalluvar Aandu 2057- Thai Matham 13th day)**

**E.P 44/2025 in A.C.P.No.1301/2022**

M/S.Sundaram Finance Ltd.,  
Rep by its Assistant Manager  
R.Uvabalan

... Petitioner/Decree Holder

VS

1) M.Praveenkumar  
2) A.Indrajith  
3) M.Thilaga

... Respondents/ Judgment Debtors

This petition having come up for final hearing before me on 19.01.2026 in the presence of **Thiru.S.Punniyamoorthy**, Advocate for the Petitioner and of respondents remained exparte and upon hearing the arguments of petitioner side, upon perusal of the entire material records pertaining to the case and the matter having stood over for consideration till this date, this court passed the following...

**ORDER**

(1) The Petitioner filed this petition under order 21 Rule 54, 64, 66 and section 72 of C.P.C. to direct the respondents to pay Rs.10,09,309/- and in default attach and sale of immovable mentioned in this petition and the attached immovables may be sold in public auction and the amount realized may be given to the petitioner.

**(2) The Gist of the affidavit filed by the petitioner:**

The petitioner/deGREE holder got a decree in A.C.P.No.1301/2022 against the respondents on 13.01.2023. As per decree the respondents are to be ordered that to pay a sum of Rs.6,77,570/- and interest of Rs.3,23,539/- and costs of Rs.200/- totally Rs.10,09,309/-. If the petitioner failure to do so, attach and sale of immovables mentioned in this petition and to be ordered to sale in public auction and the amount to be realized to the petitioner.

3) The respondents have been declared exparte as they were notified in the paper publication to appear in court but did not appear in court.

4) Whether the petitioner is entitled to the relief sought for?

**(5) Point:**

Petitioner side arguments heard. Records perused. The learned counsel for the petitioner would contend that in the Arbitration Case No.1301/2022 award was passed in favour of the petitioner against the respondents for a sum of Rs.6,77,570/- Since the respondents failed to pay the said amount the present E.P. is filed for recovery of the said amount along with interest or on failure on the part of the respondents to attach and sell the schedule mentioned property.

(6) I have carefully considered the rival submissions and perused the materials on record. In the instant case admittedly in Arbitration Case No.1301/2022 an award was passed against the respondents for a sum of Rs.6,77,570/-. The present execution petition is filed for Rs.10,09,309/-. calculating compound interest at the rate of 18%

per month. Admittedly the loan was obtained. In this execution petition the respondents were called absent and set exparte.

(7) The respondents not come forward to repay even after filing the petition also not come forward to pay the decree amount even having means to repay.

In the result, this execution petition is allowed. Batta within a week.

Attach by 26.02.2026.

Dictated to the Steno-Typist by me, transcribed by her in computer, corrected and pronounced by me in open court, this the **27th day of January 2026.**

**II Additional District and Sessions Judge,  
Thanjavur.**

**Petitioner and Respondents side  
exhibits and witnesses: Nil**

**II Additional District and Sessions Judge,  
Thanjavur.**

**Order in**

**E.P. No. 44/2025 in**

**A.C.P.No. 1301/2022**

**Dated: 27.01.2025**