

IN THE COURT OF THE SUBORDINATE JUDGE, SANKARANKOVIL

**Present : Thiru. P. Mahindravarma, B.A., B.L.,
Subordinate Judge, Sankarankovil**

Thursday the 05th day of March 2026
(Thiruvalluvar Aandu 2057 Sree Visuvavasu Varudam Masi month 21st day)

**Execution Petition No.130/2024
in
Arbitration Case No.548/2013**

M/s Shriram Transport Finance Company Limited.,
Represented by its present Power of Attorney
Mr.S. Surendran . . . Petitioner

// Vs //

1. Stephen
2. Karuppasamy . . . Respondents

This Execution Petition came up before me for final hearing on 12.02.2026 in the presence of Mr.S.Durai Counsel for the Petitioner and Mr.S.Karrupasamy filed vakalt for the 1st Respondent and 1st Respondent was set exparte for non filing of his counter and 2nd Respondent was exonerated and upon hearing argument on the side of Petitioner and on perusal records and having stood over for consideration before this Court till date, this Court delivers the following,

ORDER

This Execution Petition was filed under Order 21, Rules 22, 37, 38 of CPC., to detain the Respondents in Civil Prison.

2. The Petitioner submitted that the Petitioner filed the above Arbitration Case No.548/2013 before the Sole Arbitrator at Tirunelveli and an Award was passed by the said Arbitrator on 31.07.2013, directing the Respondents to pay a sum of Rs.1,49,779/-, together with interest and costs. The Respondents have not paid the the debt amount. Hence, the Petitioner/Claimant has filed this Execution Petition for the payment of money by arresting the Respondents and detain them in the Civil Prison.

3. The 1st respondent was set exparte for non filing of his counter and the 2nd respondent was exonerated.

4. Heard the Petitioner side. Records Perused. This Execution Petition has been filed by the Petitioner for the payment of money by arresting the Respondents and detain them in the Civil Prison. The Petitioner/Claimant filed the above Arbitration Case No.548/2013 before the Sole Arbitrator at Tirunelveli and an Award was passed by the said Arbitrator on 31.07.2013, directing the Respondents to pay a sum of Rs.1,49,779/-, together with interest and costs. Since, the Respondents have not paid the award amount, the Petitioner has filed this Execution Petition. During the pendency of execution petition, the 2nd respondent was exonerated. Further, though the 1st Respondent was served with notice, he has not chosen to file counter before this Court to show cause why he should not be arrested.

5. The Petitioner has also filed means affidavit, stating that the 1st Respondent has sufficient means to pay the award amount. From the perusal of affidavit filed by the Petitioner, it is proved that the 1st Respondent has means to pay the award amount, but he has intentionally evading the payment of award amount.

6. On considering the facts and circumstances of the case, it is just and necessary that the 1st Respondents is to be arrested and detained in Civil Prison for the payment of money. Hence, this Court has come to a conclusion that the 1st Respondent is to be arrested and detained in Civil Prison.

7. In the result, this Petition is allowed. The 1st Respondent is to be arrested and detained in Civil Prison. Hence Arrest Batta in a week. Arrest by 08.04.2026.

Dictated by me to the Steno-typist, Computerized by her directly in the Computer, Corrected and Pronounced by me in the open Court, on this the 05th day of March 2026.

Subordinate Judge,
Sankarankovil.

Witnesses & Exhibits on the side of the Petitioner: Nil

Witnesses & Exhibits on the side of the Respondents _____: Nil

Subordinate Judge,
Sankarankovil.

Sub Court, Sankarankovil

EP No.130/2024

in

Arb. Case No.548/2013

Draft / Fair Order

Dated: 05.03.2026
