

**E.P. No. 9 of 2025
in
Arbitration Case No. 66
of 2021**

DATE :21.07.2026

Order

The Decree Holder has filed the present Execution Petition under Order XXI Rule 37 of the Code of Civil Procedure seeking the arrest of the Judgment Debtors and their detention in civil prison for their failure to satisfy the arbitral award.

1). It is the case of the Decree Holder that an arbitral award was passed in Arbitration Case No. 66 of 2021 on 07.08.2021, directing the

respondents/Judgment Debtors to pay the award amount. Since the Judgment Debtors failed to comply with the terms of the award, which has become enforceable in law, the present Execution Petition has been filed.

2). Private notice was duly served on the first respondent/Judgment Debtor. Despite such service, the first respondent failed to

appear before this Court and was consequently set ex parte on 25.09.2025.

3). During the pendency of the Execution Petition, the second

respondent/Judgment Debtor died. Accordingly, by order dated 30.01.2026, the Execution Petition was dismissed as against the second

respondent/Judgment Debtor.

4). Heard the learned counsel for the Decree Holder. Perused the arbitral award and the other records available on file.

5). A perusal of the arbitral award reveals that the respondents/Judgment Debtors were directed to jointly and severally pay a sum of Rs.6,15,610/- to the Decree Holder together with interest at the rate of 18% per annum from the date of the claim petition till the date of realization, besides costs. It is

evident from the records that the award remains wholly unsatisfied.

6). Despite due service of private notice, the first respondent/Judgment Debtor has neither appeared before this Court nor chosen to contest the present Execution Petition.

There is absolutely no material on record to indicate that the decretal amount has been paid, either wholly or in part, or that there exists any legal impediment to the execution of the arbitral award.

7). In the above circumstances, this Court is satisfied that the Decree Holder has established sufficient grounds to proceed against the first respondent/Judgment Debtor under Order XXI Rule 37 of the Code of Civil Procedure.

8). Accordingly, this Execution Petition is allowed as against the first

respondent/Judgment Debtor. Issue

warrant of arrest against
the first
respondent/Judgment
Debtor, returnable
by 18.08.2026, on
payment of the
necessary batta
within three days.

Pronounced by
me in the open court on
21.07.2026.

Subordinate Judge,

Vaniyambadi.