

**IN THE COURT OF DISTRICT MUNSIF, GUDIYATTAM,  
VELLORE DISTRICT.**

Present: **Tr.K.Karthick Asath, B.A.,B.L.,(Hons)..LLM.,**  
District Munsif,  
Gudiyattam.

Friday, this the 13<sup>th</sup> day of March 2026

**E.P.No.87/2023**  
**in**  
**ACP.No.106/2023**

M/s.Equitas Small Finance Bank Limited  
(Formerly Known as Equitas Small Finance Bank Limited)  
Spencer Plaza, 4<sup>th</sup> Floor, Phase-II, No.769, Mount Road, Anna Salai,  
Chennai-600 002. At Present Rep by its Legal Receivable Manager  
G.Boopalan, S/o.Govindaraj.

.... Petitioner/ D.H.

// Versus //

1. Mr. Magesh
2. Mrs. Lavanya
3. Mr. Ramamoorthy
4. Mrs. Vijaya

.... Respondents/ J.Drs.

This execution petition came up before this Court on 13.02.2026 for final hearing in the presence of advocate Tr.P.R.Thulasi, the learned counsel for the petitioner and the 3<sup>rd</sup> respondent set exparte on 05.02.2025 and upon perusal of case records and having stood over for consideration till date, this Court delivers the following:

**ORDER**

The application has been filed under Order XXI Rule 11(2) of the Code of Civil Procedure, 1908 to issue notice to the respondent under

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Order 21, Rule 54 of Code of Civil Procedure and attach the immovable properties and sale the same under order 21 Rule 64 and 66 of Code of Civil Procedure, 1908 of the 3<sup>rd</sup> respondents schedule of property at Veerichettipalli, schedule here under and sale the same to realize the award amount with future interest.

**1. The averments of the petitioner in brief:**

The petitioner state that the respondents herein all respondent doing business and each respondents earnings Rs.10,000/- per month and respondents also having immovable and movable properties and its worth about Rs.5,00,000/- and own houses at Veerichettyipalli worth about more than Rs.5,00,000/-. Since the respondents are having sufficient means to pay the amount but the respondent are evading to pay the EP amount. Hence the petitioner filing this execution petition for immovable property of the 3<sup>rd</sup> respondents if this Hon'ble court order for 3<sup>rd</sup> respondents immovable property attachment.

2. The 3<sup>rd</sup> respondent set exparte on 05.02.2025.

**3. Point for consideration :-**

Whether this application is liable to be allowed?

**4. Evidence :-**

On both side no oral or documentary evidence is produced.

5. Petitioner side enquiry heard.

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**6. Discussion :-**

This Court, having considered the arguments advanced on petitioner side and thoroughly examined the pertinent case records, proceeds to delineate its findings by the following discussion.

**6.1.** This execution petition is filed for attachment and sale of immovable property of the 3<sup>rd</sup> respondent/judgment debtor upon failure of payment of money under the award. The petitioner seeks to execute the award dated 29.03.2023 against the 3<sup>rd</sup> respondent. As per the award the respondents are directed to pay Rs.93,600/- jointly and severally to the petitioner together with the interest of 24% on the principal amount from the date of filing of claim petition and till the date of realization along with cost of Rs.4000/-. But the respondents failed to pay the award amount to the petitioner, hence the petitioner filed this execution petition against the 3<sup>rd</sup> respondent for attachment of immovable schedule mentioned property and sale.

**6.2.** In the execution petition the 3<sup>rd</sup> respondent appeared and let the court to decide the petition exparty on 05.02.2025. While the award passed on 29.03.2023, till today the respondents failed to challenge the arbitration award, hence the award against the respondents has to be executed. On perusing the available records the 3<sup>rd</sup> respondent/3<sup>rd</sup> judgment debtor failed to pay the award amount to the petitioner hence his immovable property situated in S.No.240/20 in Veerichettipalli Village is liable to be attached and sold for realize the award amount. The encumbrance certificate for the schedule mentioned property also verified

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on that till 17.11.2025 the property in the name of the 3<sup>rd</sup> respondent. On considering the above discussion the petitioner shows sufficient cause for allowing this petition. No stay is obtained by the respondents. Therefore, this Court is inclined to allow this petition to enable the decree holder to enjoy the fruits of award.

**7. Result :-**

As a result, this execution petition is allowed. Attachment by by 17.04.2026. Batta in a week.

Dictated to Steno typist directly, typed by him corrected and pronounced by me in the open Court on this the 13<sup>th</sup> day of March 2026.

Sd/- K.Karthick Asath,  
**District Munsif,  
Gudiyattam.**

**Petitioner side Witnesses and Exhibits:-** Nil

**Respondent side Witnesses and Exhibits :-** Nil

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Sd/- K.Karthick Asath,  
**District Munsif,  
Gudiyattam.**