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E.P.No.95 of 2026
in C.S.(Comm.Div.) No.140 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.07.2026

Coram

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**E.P.No.95 of 2026
in C.S.(Comm.Div.) No.140 of 2022**

Kothari Petrochemicals Limited,
Having its Registered and Head Office at
No.115, Mahatma Gandhi Ssalai,
Nungambakkam,
Chennai – 600 034,
Represented by its Deputy General Manager,
SCM and Commercial,
Mr.S.V.Ramesh

...Petitioner/Decree Holder/Plaintiff

Versus

1.B.V.Sandanand,
Proprietor,
MVR Gas, No.801,
9th Main Road, 3rd Block,
Koramangala,
Bangalore – 560 034.

2.S.L.Manjula,
Wife of B.V.Sadanand,
No.801, 9th Main Road,
3rd Block, Koramangala,
Bangalore – 560 034.

...Respondents/Judgment Debtors/Defendants

Prayer: This Execution Petition has been filed under ordinary Original Civil Jurisdiction praying to transmit the Decree dated 21.09.2023 passed in C.S.



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(Comm.Div.) No.140 of 2022 by this Court to the City Civil and Sessions Court, Bangalore, Karnataka under Section 39 read with Order XXI Rule 5 and 6 of the Code of Civil Procedure, 1908 along with a Non-Satisfaction Certificate for the purpose of execution of the said decree.

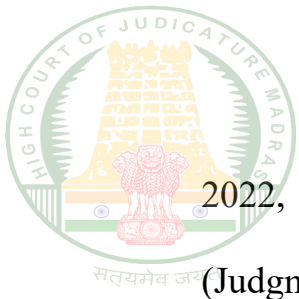
For Petitioner : Mr.AR.Ramanathan

ORDER

This Execution Petition has been filed by the Petitioner praying to transmit the Decree dated 21.09.2023 passed in C.S.(Comm.Div.) No.140 of 2022 by this Court to the City Civil and Sessions Court, Bangalore, Karnataka under Section 39 read with Order XXI Rule 5 and 6 of the Code of Civil Procedure, 1908 along with a Non-Satisfaction Certificate for the purpose of execution of the said decree.

2. The Petitioner had been benefitted with the Judgment and Decree dated 21.09.2023 passed in C.S.(Comm.Div.) No.140 of 2022 by this Court for recovery of money of a sum of Rs.1,05,21,013/- due to the Petitioner Company from the 1st Respondent/1st Defendant.

3. The case of the Petitioner/Plaintiff (Decree Holder) is that against the Judgment and Decree dated 21.09.2023 in C.S.(Comm.Div.) No.140 of



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2022, no further proceedings are pending. The Respondents/Defendants

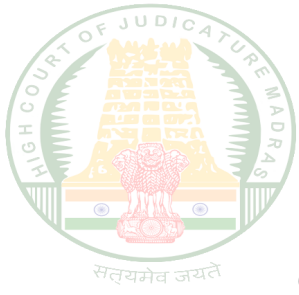
(Judgment Debtors) being the residents of the State of Karnataka have no

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property both movable or immovable within the local limits of the jurisdiction of this Court.

4. It would be in the interest of the Petitioner/Plaintiff (Decree Holder) to transmit the Decree dated 21.09.2023 passed in C.S.(Comm.Div.) No.140 of 2022 to the jurisdictional Court viz., City Civil and Sessions Court, Bangalore, Karnataka to effectively execute the decree.

5. Considering the Judgment and Decree dated 21.09.2023 passed in C.S.(Comm.Div.) No.140 of 2022 in favour of the Petitioner/Plaintiff and the specific averment made by the Petitioner/Plaintiff (Decree Holder) that the Respondents/Defendants (Judgment Debtors) do not hold any property within the jurisdiction of this Court and also, taking note of the fact that the schedule mentioned property indicates a residential building at Bangalore claimed to be within the jurisdiction of City Civil and Sessions Court, Bangalore, Karnataka, this Court finds no impediment in allowing this Execution Petition as prayed for.



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6. Further, this Court is of the view that transmission of the decree to the jurisdictional Court cannot prejudice the Respondents/Defendants (Judgment Debtors) who would have all rights to defend the Execution Petition under law. In that regard, notice to the Respondents/Defendants (Judgment Debtors) is dispensed with.

7. For the aforesaid reasons, this Execution Petition is ordered as prayed for. No costs.

03.07.2026

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K.KUMARESH BABU, J.

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