

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2017

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Civil Revision Petition (NPD) No.4085 of 2016

and

C.M.P.No.20664 of 2016

1.Mr.S.Mohanavadivelan

2.Mr.K.Venkatesan

3.Mr.T.Rajendran

... Petitioners

..Vs..

Shriram Chits Funds Union Finance Limited,
No.123, Angappan Naicken Street,
Chennai - 600 001.

Rep.by its Authorized Representative

Mr.D.Senthil Kumaran

... Respondent

Prayer: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the fair and decreetal order dated 24.10.2016 made in E.P.No.1749 of 2014 in A.C.P.(SUCF/EF) No.RK.375 of 2013 on the file of the IX Assistant City Civil Court at Chennai.

For petitioner : Mr.K.Mohan

ORDER

Challenging the impugned order passed on 24.10.2016 in E.P.No.1749 of 2014 for arbitration attachment in E.P. Application, the present revision petition has been filed.

R.MALA,J.,

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2. The attachment has been ordered in respect of the second judgment debtor. The executing Court in paragraph 8 of the order, came to the conclusion that he has not taken any steps to set aside the ex-parte award, and he has not filed any document to show that he met an accident and hence he was unable to appear before the Arbitrator to put forth his case. It is further observed that after filing of the E.P petition, to show his bona-fide, he has not paid any amount.

3. In such circumstances, I do not find any illegality or irregularity in this execution attachment order passed by the Executing Court and it is hereby confirmed. Hence, this Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

05.01.2017

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To
The IX Assistant City Civil Court, Chennai.

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