



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.09.2019

CORAM:

THE HONOURABLE Mr.JUSTICE KRISHNAN RAMASAMY

C.R.P. (MD)No.1690 of 2019

Sundaram Finance Ltd.,
Rep.by its Authorised Signatory
Kamalanand

... Petitioner / Petitioner /
Decree holder

Vs.

1.P.Chandrasekaran
2.S.Muthukumaran

... Respondents / Respondents /
Judgment debtors

Prayer: The petition filed under Article 227 of the Constitution of India, to issue direction to the learned Principal District Judge, Madurai to number the unnumbered E.P.SR.No.2603 of 2019 TNMD010051002019.

For Petitioner : Mr.S.Pon Senthil Kumaran

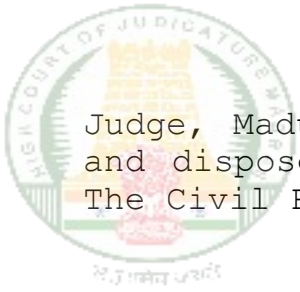
ORDER

This Civil Revision Petition has been filed to issue a direction to the learned Principal District Judge, Madurai to number the unnumbered E.P.SR.No.2603 of 2019 TNMD010051002019.

2.The learned counsel appearing for the revision petitioner would submit that the execution petition was returned by the Court below, directing the revision petitioner to file "non satisfaction certificate" from the Arbitrator. He would further submit that there is no such provision in the Arbitration Act for provision of such certificate and in the absence of the same, the petitioner is not in a position to produce such certificate.

3.Heard the learned counsel for the petitioner.

4.It is made clear that there is no provision in the Arbitration Act to obtain "non satisfaction certificate" from the Arbitrator. When such being the case, the Court below ought not to have returned the execution petition. Therefore, this Court directs the revision petitioner to represent the Execution Petition, within a period of two weeks from the date of receipt of a copy of this order and on representing the same, the learned Principal District



Judge, Madurai is hereby directed to number the Execution Petition and dispose of the same, within a period of two weeks thereafter. The Civil Revision Petition is disposed of accordingly. No costs.

WEB COPY

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

nbj

To

The Principal District Judge, Madurai.

+1CC TO MR.S.PON SENTHIL KUMARAN, Advocate Sr. No. 89245

C.R.P. (MD)No.1690 of 2019

PM(CO)

TR(22.10.2019) 2P 3C