



C.R.P.(NPD).No.316 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

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and

C.M.P.No.1630 of 2020

N.P.K.R. Ramasamy Co-operative Sugar Mills Ltd.,
Thalainayar - 609 201,
Ilanthope, Mayiladuthurai,
Represented by its
Administrator/Managing Director.

.. Petitioner

Vs.

Binny Engineering Ltd.,
Meenambakkam,
Chennai - 600 114.

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the docket order dated 18.10.2019 made in E.P.No.34 of 2013 in A.R.O.P.No.909 of 2000 and thereby, dismiss the Execution Petition in E.P.No.34 of 2013.

For Petitioner : Mr.R.Bala Ramesh

For Respondent : Mr.R.Parthasarathy



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ORDER

Challenge in this Revision is to the order of the learned District Judge, Nagapattinam made in E.P.No.34 of 2013 on 18.10.2019, directing attachment of the immovable properties belonging to the petitioner.

2. It is seen from the orders passed that the attachment has also been effected on 06.12.2019. The award was passed as early as on 16.04.2012. The application filed by the petitioner under Section 34 of the Arbitration and Conciliation Act, 1996 was also dismissed by this Court on 25.02.2021. It is stated that the appeal against the same under Section 37 of the Arbitration and Conciliation Act, 1996 is pending in OSA.No.186 of 2021. There is no stay ordered by this Court. Therefore, the executing Court was well within its rights in directing attachment of the property. The attachment has also been effected.

3. I therefore do not see any ground to interfere with the order of attachment passed by the executing Court. The Revision therefore fails and



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it is accordingly **dismissed**. No costs. Consequently the connected miscellaneous petition is closed.

01.12.2021

dsa

Internet :Yes

Index : No

Speaking order

To

The District Judge, Nagapattinam.



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R.SUBRAMANIAN, J.

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