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C.R.P.No.1523 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18..06..2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

C.R.P.No.No.1523 of 2025

and

C.M.P.No.8880 of 2025

1.N.Kirubanandan

2.Mrs.G.Shakila

[Cause Title accepted vide court order dated 28.03.2025 made in
C.M.P.No.7527 of 2025 in C.R.P.SR.No.40941 of 2025]

..... Petitioners

-Versus-

M/s.Shriram Chits (India) Pvt. Ltd.,
Rep. by its Senior Law Officer M.Sivaraja,
No.497/866, Thiruvottriyur High Road,
Old Washermenpet, Chennai 600021.

..... Respondent

Petition filed under Article 227 of the Constitution of India, praying to
set aside the order dated 07.02.2025 passed by the learned IX Assistant Judge,
City Civil Court, Chennai, in E.P.No.759 of 2024 in A.R.C.No.373 of 2016.

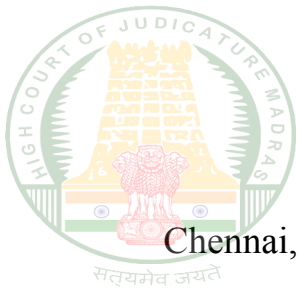
For Petitioner : *Mr.S.Bhuvaneswaran*

For Respondent : *Mr.Adarsh Subramanian*

ORDER

This civil revision petition is filed by Judgment Debtors 1 and 6 in E.P.
No. 759 of 2024, on the file of the IX Assistant Judge, City Civil Court,

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Chennai, challenging the order dated 07.02.2025 directing attachment of the movable properties of Judgment Debtors 1 and 2, for recovery of the amount due under the award passed in A.R.C. No. 373 of 2016.

2. This Court heard Mr. S. Bhuvaneswaran, learned counsel for the revision petitioners / Judgment Debtors 1 and 2, and Mr. Adarsh Subramanian, learned counsel for the respondent / Decree Holder, and carefully examined the materials available on record.

3. The execution arises out of an award passed under the provisions of the Chit Funds Act. The respondent/decree-holder initiated execution proceedings seeking to enforce the award. Upon satisfying itself of the procedural requirements, the executing court ordered attachment of the movable/immovable properties of the judgment-debtors 1 & 6.

4. The petitioner has now approached this Court contending that the entire amount due under the chit transaction was already paid and that the award was obtained behind the back of the petitioner without notice.

5. The conduct of the revision petitioners clearly reflects an attempt to delay the execution of the decree. The unsubstantiated claim of full payment, the belated challenge to the award, and the filing of this revision petition without any substantial grounds appear to be deliberate tactics intended to



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frustrate the lawful rights of the decree-holder.

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6. The award in question has attained finality. The petitioner has not initiated any proceedings under Section 34 of the Arbitration and Conciliation Act to challenge the award. The Executing Court has no authority to go behind the decree or examine the validity of the award at the stage of execution.

7. This Court does not find any irregularity or perversity in the order passed by the Executing Court. The attachment order is in accordance with law.

8. In view of the above, this Court finds no ground to interfere with the well-reasoned order passed by the Executing Court.

In the result, the civil revision petition is dismissed. No costs. Consequently, connected CMP is closed.

Index : yes / no
Neutral Citation : yes / no

18..06..2025

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To

1. The IX Assistant Judge, City Civil Court, Chennai.



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N.SATHISH KUMAR.J.,

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