



C.R.P.No.2487 of 2025

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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 19.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

C.R.P. No. 2487 of 2025

and

C.M.P.No.14241 of 2025

Superintending Engineer,
Public Works Department,
Special Building Circle,
Salem – 7,
Now in charge of Vellore Building Circle,
Vellore – 1.

...Petitioner

Vs

M/s.Bricksteel Enterprises,
Rep.by its Managing Partner,
A.Leo Charles,
Swamy Arul House,
No.369-B, Midland Nagar,
Salem Road, Suramangalam P.O.,
Salem – 636 005.

...Respondent

Civil Revision Petition filed under Article 115 of Constitution of India, praying to set aside the order dated 05.06.2025 made in E.P.No.139/2013 in Arb.No.53/1993 on the file of the I Additional District and Sessions Judge, Vellore.

For Petitioner : Mrs.R.Anitha

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Special Government Pleader (CS)

For Respondent : Mr.K.Bijai Sundar

ORDER

This Civil Revision Petition is filed to set aside the attachment order dated 05.06.2025 made in E.P.No.139/2013 in Arb.No.53/1993 on the file of the I Additional District and Sessions Judge, Vellore.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The respondent herein filed a claim petition in A.O.P.No.53 of 1993 and the sole arbitrator passed an Award on 27.07.1998 for a sum of Rs.95,36,345/- and costs of Rs.2,90,000/- to the respondent. The amounts should be paid together with interest at 18% per annum from the date of Award till realization. Against the said Award, the petitioner filed Arb.OP.No.107 of 1999 before the I Additional District Judge, Salem and the same came to be dismissed and aggrieved by the said order, C.M.A.No.1191 of 2011 was filed before this Court. This Court, *vide*

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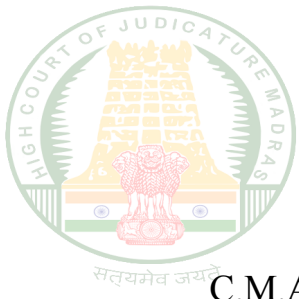


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order dated 04.06.2014 dismissed the appeal by confirming the Arbitration Award dated 27.07.1998. Subsequently, the respondent filed an Execution Petition in E.P.No.139 of 2013 before the I Additional District and Sessions Judge, Vellore and the E.P. was ordered on 06.11.2024, subject to the condition that the petitioner herein was directed to deposit a sum of Rs.1,25,26,000.32/- within a period of three months, i.e., on or before 06.02.2025, failing which, the attachment order will be passed. Since the petitioner did not comply with the said condition within the stipulated time mentioned by the Execution Court, they have filed application seeking extension of time to comply with the order dated 06.11.2024. In spite of the time granted by the Execution Court, the petitioner did not comply with the order dated 06.11.2024 and hence, the Execution Court by order dated 05.06.2025 has ordered attachment of the properties mentioned in the schedule to the Execution Petition. The said attachment order is now under challenge in the present revision petition.

4. When the matter was taken up for hearing on 20.06.2025, it is the contention of the learned Special Government Pleader appearing for the petitioner, as per the conditional order of this Court in



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C.M.A.No.1191 of 2011, has deposited a sum of Rs.3,87,91,324/- calculated till date. However, as per the respondent/decreed holder, a sum of Rs.1,25,26,000/- is yet to be deposited. This Court, after hearing both sides, granted interim stay on 20.06.2025 subject to the condition that the petitioner shall deposit a sum of Rs.75,00,000/- (Rupees Seventy Five Lakhs Only) within a period of three months from 20.06.2025. Subsequently, this Court, *vide* order dated 14.07.2025, extended the interim order till 19.08.2025. However, the petitioner has not complied with the order of this Court dated 20.06.2025, till date. Therefore, this Court is of the view that the attitude of the petitioner is not a *bona fide* one and the petitioner has not approached this Court with clean hands, but only in order to protract the proceedings, they sought time. Therefore, this Court does not find any reason to interfere with the attachment order dated 05.06.2025 passed in E.P.No.139/2013 in Arb.No.53/1993 on the file of the I Additional District and Sessions Judge, Vellore.

5. Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

The I Additional District and Sessions Judge,
Vellore.



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P.VELMURUGAN, J
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