



WEB COPY



CRP No. 6164 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MRS.JUSTICE N. MALA

CRP No. 6164 of 2025

1.E.Mohanraj
2.Dilli Babu
3.Durg Singh

..Petitioners

Vs

Apna Finance (India) Ltd.,
Rep. by its Authorised Signatory
Mr.Vishal Lodha
No.1, Managappan Street,
Sowacarpur, Chennai- 600 079.

..Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to struck off the E.P.No.368 of 2018 on the file of the learned IV Additional District & Sessions Judge at Ponneri, Tiruvallur District and allow the revision.

For Petitioners:
For Respondent:

Mr.G.Saravanan
M/s.M.B.Gopalan Associates
Mr.M.B.Raghavan



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ORDER

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This Civil Revision Petition is directed against the order in E.P.No.368/2018, on the file of the IV Additional District and Sessions Court, Ponneri, Tiruvallur District.

2.The respondent obtained an exparte arbitral award in A.R.C.No.310 of 2015 dated 30.04.2015, in respect of a loan availed by the petitioner. Pursuant to the said award, the respondent initiated Execution Proceedings in E.P.No.368 of 2018. The arbitral proceedings were initiated for recovery of a sum of Rs.3,81,495/- under the loan agreement, culminating in the exparte arbitral award dated 30.04.2015.

3.Admittedly, the petitioner has not challenged the arbitral award in a manner known to law. The Award has attained finality. In such circumstances, the attempt to indirectly assail the award in execution proceedings, or in the present revision is wholly untenable. An Executing Court cannot go behind the decree or award, and any endeavour to reopen the merits of the claim is wholly impermissible.



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4.This Court finds no infirmity or illegality, or jurisdictional error in the impugned order warranting interference under revisional jurisdiction. The present petition is nothing but a belated and misconceived attempt to thwart the execution of a lawful award and deserves to be rejected.

5.However, the limited liberty available to the petitioner is only to establish, before the Execution Court, by cogent and acceptable evidence, that the award has been satisfied, either wholly or in part. Such plea if raised, shall be considered strictly in accordance with law, without opening the merits of the arbitral award, within a period of 4 weeks from the date of receipt of a copy of this order.

Accordingly, this Civil Revision Petition is dismissed. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
dna/dsn



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N.MALA J.

dna/dsn

To

The IV Additional District and Sessions Judge,
Ponneri, Tiruvallur District.

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