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C.R.P.No.254 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.254 of 2026

Balachandar

... Petitioner

Vs.

1. Natraj

2. Sudha

... Respondents

Prayer:- Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the order of the Principal District Judge, Tiruppur dated 16.09.2025 returning the unnumbered Execution Petition bearing E.P. filing No.1230 of 2025 and number the EP.

For Petitioner : Mr.U.Gokulakrishnan

ORDER

The revision petitioner is the decree holder, who seeks to execute an award passed under the provisions of the Arbitration and Conciliation Act, 1996, which is stated to be a compromise award passed with the consent of the respondents. The Execution Petition filed by the petitioner



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was returned by the Court below at the numbering stage, granting time to the petitioner to re-present the same on or before 15.10.2025.

2.The learned counsel for the petitioner invites the attention of this Court to the clarification memo on maintainability dated 03.10.2025, which, according to him, was uploaded online in response to the returns. However, despite the same, the learned Principal District Judge, Tiruppur, has not passed any orders thereon and the Execution Petition continues to remain unnumbered.

3.A perusal of the records reveals that the clarification memo dated 03.10.2025 was filed in response to the returns made by the Court below on 16.09.2025, granting time till 15.10.2025. However, the copy of the Execution Petition filed along with the typed set of papers does not disclose that the clarification memo dated 03.10.2025 has been taken into consideration by the Executing Court.

4.It is however pertinent to note that the settlement award records that the respondents were required to execute the necessary release deeds / settlement deeds within a stipulated period from the date of the

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award. It is only on account of the default committed by the respondents that the Execution Petition has been filed. In such circumstances, the maintainability of the Execution Petition cannot be questioned.

5. In view of the above, and taking into account the clarification memo already filed, the Principal District Court, Tiruppur, is directed to number the Execution Petition and thereafter issue notice to the respondents and dispose of the same on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. Since the Execution Petition is yet to be numbered, notice to the respondents in the present Civil Revision Petition is dispensed with.

7. Accordingly, the impugned return/order dated 16.09.2025 is set aside and this Civil Revision Petition is allowed. No costs.

20.01.2026

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
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To

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The Principal District Judge, Tiruppur.



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P.B.BALAJI, J.

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