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EP No. 8 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

EP No. 8 of 2026

Madhav Media Pvt. Ltd.,
Rep. by its Managing Director,
Mr.Balaji Kapa S/o.Munirathinam
No.63, A V Krishnasami Street,
Janaki Nagar, Valasaravakkam,
Chennai-600 087.

..Petitioner(s)

Vs

LIBRA Productions Pvt. Ltd.
Rep. by its Managing Director,
C.Ravindhar,
No.7361, 120th Avenue,
Ashok Nagar, Chennai-600083.

..Respondent(s)

Prayer:

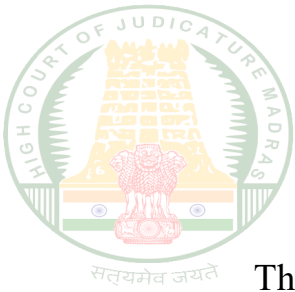
To arrest of the Judgement Debtor under Order XXI Rule 37 of C.P.C., in
Arbitration O.P.No.595 of 2024.

For Petitioner(s):

Mr.R.Suresh Kumar
For Mr.P.Anbazhagan
(For Decree holder)

For Respondent(s):

Mr.J.Harris Devadoss
For Mr.G.Peranban
(For Judgment Debtor)



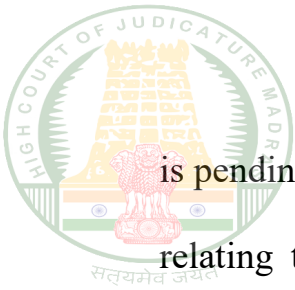
ORDER

This Execution Petition has been filed to arrest of the Judgement Debtor under Order XXI Rule 37 of C.P.C., in Arbitration O.P.No.595 of 2024.

2. Heard both sides.

3. The learned counsel appearing for the Decree Holder would submit that an Award came to be passed as early as on 11.11.2024, whereunder the claim filed by the Judgment Debtor was rejected and a counter-claim was allowed, directing the Judgment Debtor to refund a sum of Rs.13,31,20,000/- together with interest at 1% per annum from the date of filing the counter-claim. One month time was granted, failing which, 6% interest per annum was ordered. He would submit that the award had become final between the parties and in spite of the same, he had not made good the payment and hence, for enforcement of the award, the present Execution Petition had been filed. Hence, he seeks this Court to pass appropriate orders.

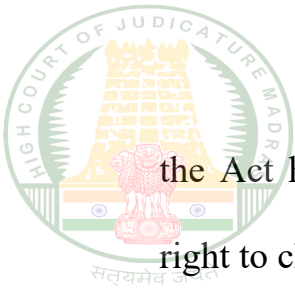
4. Countering his arguments, the learned counsel appearing for the Judgment Debtor would submit that, on the very same cause of action of the counter-claim, a criminal complaint had also been lodged by the Decree Holder, which has culminated into a Calendar Case in C.C.No.888 of 2025 and the same



is pending before the Metropolitan Magistrate for Exclusive Trial of CCB Cases relating to Cheating Cases in Chennai and CBCID Metro Cases. He would submit that, in the said proceedings, the Judgment Debtor's Bank accounts have been frozen by the Investigating Agencies and also the title deeds relating to the immovable properties have been deposited to the credit of the said Crime Number. That apart, he would submit that the Execution Petition is barred by the provisions of the Arbitration Act as the Arbitrator was unilaterally appointed by the Decree Holder and such appointment of a unilateral Arbitrator would render the proceedings void. He has also reserved his rights to challenge the original award as being violative of Section 34 of the Act. Hence, he prays this Court to dismiss the Execution Petition.

5. I have considered the submissions made by the learned counsel appearing on either side and perused the materials available on record.

6. The award came to be passed as against the Judgment Debtor as early as on 11.11.2024 and even in the counter filed in the month of August 2026, he had not indicated any challenge to the arbitral award, except to contend that the arbitral proceedings are vitiated as the Arbitrator was unilaterally appointed. He had only claimed to have reserved his rights to challenge the original award passed. It is to be noted that the award was passed on 11.11.2024 and in that regard, the period of limitation to challenge the award under Section 34(3) of



the Act had long ended and, in that regard, the Judgment Debtor has lost its right to challenge the award.

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7. In such an event, the award had become final between the parties and the Decree Holder is entitled to enforce the award. Even though the Judgment Debtor claims that the Bank accounts had been frozen by the Investigating Agency and the title deeds have been deposited by him, no proof of such order being passed has been placed before this Court, nor had he taken any steps for defreezing the account. Further, when the complaint filed by the Decree Holder had culminated into a Calendar Case, this Court is unable to comprehend the deposit of title deeds as alleged, that too without any proof in the Crime Number. No details with regard to the freezing of the Bank account and the date on which the title deeds have been deposited in the crime number have also been given.

8. In that regard, this Court is of the view that the attempt by the Judgment Debtor is to deny the fruits of the award to the Decree Holder is without any *bona fides*.

9. For the aforesaid reasons, I do not find any impediment in ordering the Execution Petition as prayed for.



10. Accordingly, this Execution Petition stands ordered as prayed for. No costs.

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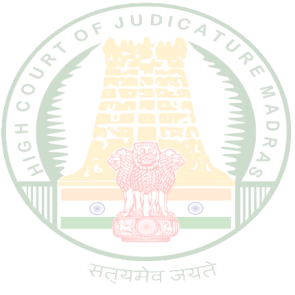
17-09-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

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