



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

OA No. 210 of 2026

TATA Capital Housing Finance Ltd
having its registered office at national housing
bank NHB 11th floor tower A peninsula business
park ganpatrao kadam marg lower parel mumbai
400 013

..Applicant(s)

Vs

1. Mr Thanigaimani Sambasivam
S/o.Sambasivam
2. Archana Ramanasekhar
VILLA 1009 CASA grand elan semmancheri
thazhambur siruseri tambaram 600130
3. The Sub Registrar
Thiruporur 29 South Mada Street Thiruporur
Chengalpattu 603 110

..Respondent(s)

PRAYER: Judges summons under Order XIV Rule 8 O.S.rules read with section 9(2)(b) and (e) of the Arbitration and Conciliation Act, 1996, praying to pass an order of interim injunction restraining the respondent, or their men, agents or anybody action on his authority to transfer, alienate, encumber or sell the property more fully described in the schedule hereunder.

For Applicant(s): M/s.V.Balasubramani

For Respondent(s): Mr.R.Siddharth, AGP for R3



ORDER

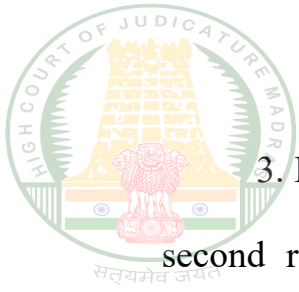
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After recording that the first and second respondents remained unrepresented in spite of service of notice, an order of interim injunction was granted until 30.04.2026. The first and second respondents remained unrepresented even as on date.

2. In order dated 02.04.2026, it was recorded as under:

“4. On perusal of the facility agreement, it is clear that it provides for dispute resolution by arbitration. The applicant has filed the statement of accounts in respect of the two loan accounts and the foreclosure statements. It is evident that the total claim in respect of home loan account ending in no.193279 is about Rs.55,70,853/- as on 14.01.2026. In respect of loan account ending in no.197501, the amount outstanding is about Rs.1,66,191/- as on 14.01.2026.

5. Considering the above facts and circumstances, a strong prima facie case is made out. Unless the first and second respondents are restrained from alienating, encumbering or otherwise dealing with these assets, it is likely that irreparable hardship would be caused to the applicant pending arbitration. Therefore, an order of interim injunction as prayed for in this application is granted until 30.04.2026. The applicant is permitted to communicate this order to the first and second respondents.”



3. For reasons set out in the above paragraphs and in view of the first and second respondents continuing to remain unrepresented, this application is disposed of by making the order of interim injunction absolute until conclusion of the arbitral proceedings.

4. It is stated that the applicant has issued a notice under Section 21 of the Arbitration and Conciliation Act, 1996. The applicant shall take further steps to constitute the arbitral tribunal.

30-04-2026

Neutral Citation: Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

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To

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S/o.Sambasivam
2. Archana Ramanasekhar
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