

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE M.SUNDAR

O.S.A.No.15 of 2017
and
C.M.P.No.1320 of 2017

M/s.Cholamandalam Investment
and Finance Company Limited,
'Dare House', No.2, N.S.C.Bose Road,
Parrys, Chennai-600 001.
rep. by its Authorised Signatory. ... Appellant

Vs

Nisha S. ... Respondent

Appeal filed under Order XXXVI, Rule 9 of Original Side
Rules read with Clause 15 of Letters Patent against the order
dated 02.12.2016 made in Application No.2403 of 2016 on the file
of this Court.

For Appellant : Mr.D.Pradeep Kumar

JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief
Justice)

The learned counsel for the appellant states that the amount
specified as Rs.4,29,250/- in the impugned order is only towards
part of the instalments due upto 01.12.2016 and the total amount
of foreclosure of the loan would be Rs.9,24,112.30 as on
02.12.2016. He, thus, submits that if the account has to be
regularised, apart from the payments referred to aforesaid, the
further instalments have also to be paid and the instalment for
January, 2017 has not been paid. The schedule of payment is not
stated to have been filed as per the impugned order. He further
states that a Demand Draft of Rs.2.00 lakhs handed over in
Court, has still not been encashed and the vehicle has not been
released.

2. We are of the view that the appellant should move the learned Single Judge with these facts within a week, so that there is no stand off in terms of the vehicle not being released and the payments not arising as a consequence thereof.

3. The appeal, accordingly, stands disposed of. No costs. Consequently, C.M.P.No.1320 of 2017 is closed.

Sd/-
Assistant Registrar(CS VII)

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Sub Assistant Registrar

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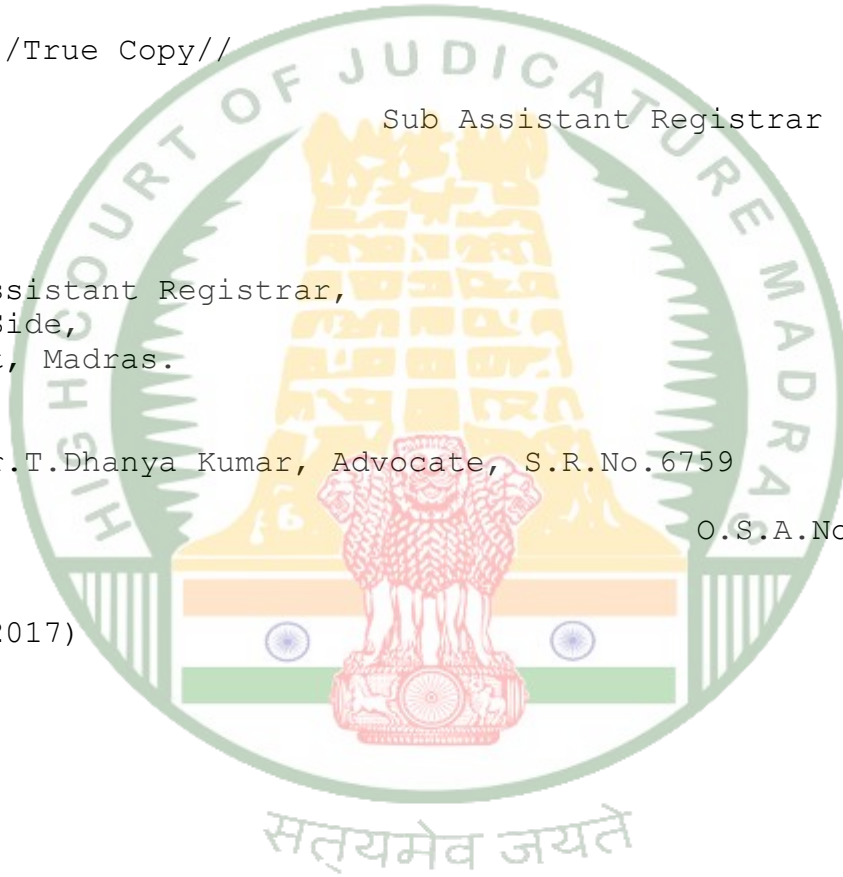
To

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

+1cc to Mr.T.Dhanya Kumar, Advocate, S.R.No.6759

O.S.A.No.15 of 2017

MG(CO)
CA(09/02/2017)



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