

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 5TH DAY OF SEPTEMBER 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A.No.4814 OF 2017

IN

O.A.NO.677 OF 2017

In the matter of Arbitration
& Conciliation Act, 1996;

And

In the matter of Hire
Purchase Agreements dated
25.07.2014 entered between
the applicant and
respondents.

O.A.NO.677 OF 2017:

Galada Finance Limited,
Rep. by its Manager G.Ramesh,
Having registered office at
"Shanti Sadan", Old No.4, New No.7,
Shaffee Mohammed Road,
Thousand Lights, Chennai - 600 006. ... Applicant

-Versus-

1. Sri.S.Muruganantham,
S/o. U.Subramanian,
No.35/14, Flat No.Bc,
Dr.Subbarayan Nagar, 5th Street,
Kodambakkam, Chennai - 600 024.

2. M.Sudalikan,
S/o. Mr.Muthu,
91/G-3, Venkateswara Nagar,
2nd Cross Street, Saligramam,
Chennai - 600 093. ...Respondents

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Rep. by its Manager G.Ramesh,
Having registered office at
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... Applicant / Applicant

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2. M.Sudalikan,
S/o. Mr.Muthu,
91/G-3, Venkateswara Nagar,
2nd Cross Street, Saligramam,
Chennai - 600 093.
Respondents/Respondents

3. The Regional Transport Officer,
Chennai - West,
No.1 Bharathidasan Colony,
Mambalam Taluk Office Complex,
K.K.Nagar, Chennai - 600 078.

... Respondents/3rd Party

Application praying that this Hon'ble Court be pleased to direct the 3rd respondent to accept the Form No.35 regarding a car bearing Registration No.TN-09-BL-2405 so that the applicant can deposit the sale consideration before this Hon'ble Court in A.No.2597 of 2017 on the file of this Hon'ble Court in compliance of the common order dated 11.07.2017 made in O.A.Nos.457 and 677 of 2017 and Appl.No.2597 and 3618 of 2017.

This Application coming on this day before this court for hearing the court made the following order:-

This Court vide order dated 11.07.2017 had after noticing the facts relevant to the applications permitted the company to dispose vehicle bearing Registration No. TN-09-BL-2405 and deposit the sale consideration to the credit of this application. It was also specifically stated that the disbursal thereof shall be subject to the result of proceedings for Arbitration that are on going as between the parties.

2. Pursuant thereto the company approached the RTO

seeking transfer of the vehicle to its name in order that the process of sale may be completed.

3. At that juncture, it was found that the borrower has raised an objection to the transfer of the vehicle.

4. Learned counsel for the respondent has been seeking adjournments on earlier occasions to file counter.

5. Today when the matter is called none appears for the respondent. In confirmation of the order of this Court dated 11.07.2017 a direction is issued to the RTO to effect transfer of the vehicle as sought for. The sale consideration shall be deposited to the credit of the application and disposal of the vehicle shall be subject to the result of the Arbitration. Incidentally, Mr.Mohan, learned counsel for the applicant would confirm that the sale would be effected at market value and no objection has been raised by the respondent in this regard.

6. This application is closed leaving the parties to bear their own costs.

Sd/.A.S.M.J
05.09.2017

//Certified to be a true copy//
Dated this the 19th day of September 2017.

COURT OFFICER.

KM/19.09.2017

**From 25.09.2008 the Registry is issuing certified copies
of the Order/Judgment Decree in this format.**