

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

A.No.2285 of 2019

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

Versus

1.Mr.Velumani M.
S/o. Murugan,
7, Annanagar West, 6th Cross,
Kulithalai (TK), Karur,
Tamil Nadu – 639 104.
2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kalithalai TK, Karur Dist,
Tamil Nadu – 639 107. . . Respondents

PRAYER: Application filed under Order XIV Rule 8 of original side rules
r/w.SEC 9(ii)(b) of the Arbitration and Conciliation Act, 1996, to pass an
order prohibiting the Garnishee from making payment upto a limit of
Rs.6,76,739.73 to the respondent by withholding the salary of respondent
every month to the extent as contemplated in Section 60 of C.P.C., viz.,

after deducting the first Rs.1000/- of the salary of the respondent and withholding 1/3rd of the remainder salary and restrain the respondent from receiving the salary amount so withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the above application pending initiation and disposal of arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings.

For Applicant : Mr.D.Pradeep kumar

For Respondents : No appearance

ORDER

This application has been filed to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.6,76,739.73 to the respondent by withholding the salary of respondent every month to the extent as contemplated in Section 60 of C.P.C., viz., after deducting the first Rs.1000/- of the salary of the respondent and withholding 1/3rd of the remainder salary and restrain the respondent from receiving the salary amount so withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the

above application pending initiation and disposal of arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings.

2. The learned counsel appearing for the applicant submitted through video conferencing that the arbitration proceeding already initiated and award was also passed.

3. In such view of the matter, this Court is not inclined to pass any order in this application, it is for the applicant to take appropriate legal action to file execution petition.

4. With the above direction, this application is closed.

Sd/.N.S.K.J.
06.07.2020

//Certified to be a true copy//

Dated this the day of 2020.

SU/10.07.2020

COURT OFFICER(O.S.)

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