

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED: 09.07.2020****CORAM:****THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR****A.No.3186 of 2019**

M/s.Cholamandalam Investment and Finance Company Ltd.,
'Dare House', No.2, N.S.C.Bose Road,
Parrys,
Chennai- 600 001.

Rep. By its Authorized Signatory.

... Applicant

Versus

1.M/s.Sanjo Motors,
Rep.by its Partner,
Areeckal Junction, Karukutty P.O.,
Angamaly, Kerala-683 576.

2.Mr.Anil Thomas,
S/o.Thomas Aykkareth,
Aykkareth House,
Edakkunnu, Paduapuram P.O.,
Ernakulam Distirct, Kerala-683 582.

3.Ms.Kavitha Poullose,
Areeckal Junction, Karukutty P.O.,
Angamaly, Kerala-683 576.

...Respondents

4.M/s.Urban Locomote,
Rep. By its partner,
1st Floor, Thomas Ayjareth Square,
Door No.17/702-B of Choornikkarn Grama Panchayath,

Metro Pillar No.106, Choornikkara,
Company Paddy Jn, Thaikkattukara P.O.,
Aluva, Ernakulam, Kerala-683 106.

5.M/s.Tattva Fincorp. Ltd.,
Rep. By its Manager,
2nd Floor, Thomas Ayjareth Square,
Door No.17/702-B of Choornikkarn Grama Panchayath,
Metro Pillar No.106, Choornikkara,
Company Paddy Jn, Thaikkattukara P.O.,
Aluva, Ernakulam, Kerala-683 106. ...Garnishees

PRAYER: Application filed under Order XIV Rule 8 of original side rules r/w.Sec. 9(ii)(a)(b)(c)&(e) of the Arbitration and Conciliation Act, 1996, to pass an order prohibiting the Garnishees from making payment of a sum of Rs.17,35,857/- or any amount to the respondents or to their men, agents, representatives or to anyone claiming on respondents behalf and restrain the respondents behalf from receiving a sum of Rs.17,35,857/- or any amount from the Garnishees and further direct the Garnishees to deposit the sum of Rs.17,35,857/- or any amount to the credit of the above application pending initiation and disposal of Arbitration proceedings between the applicant and the respondents and till enforcement of the award that may be ultimately passed in the arbitration proceedings.

For Applicant : Mr.D.Pradeep Kumar

For Respondents : Mr.M.Somasundar

ORDER

This application has been filed to pass an order prohibiting the Garnishees from making payment of a sum of Rs.17,35,857/- or any amount to the respondents or to their men, agents, representatives or to anyone claiming on respondents behalf and restrain the respondents behalf from receiving a sum of Rs.17,35,857/- or any amount from the Garnishees and further direct the Garnishees to deposit the sum of Rs.17,35,857/- or any amount to the credit of the above application pending initiation and disposal of Arbitration proceedings between the applicant and the respondents 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 matter has been settled between the parties. He further submitted that the Garnishees 4 and 5 withhold the money payable to the respondents 1 to 3. Hence, directed to release the amount to the

respondents 1 to 3.

N.SATHISH KUMAR, J.
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3. In such view of the matter the amount is withheld by the
Garnishees may be released to the respondents 1 to 3.

4. Accordingly, this application is closed.

09.07.2020

Index : Yes/No
Internet : Yes/No
Speaking/Non Speaking
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