

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 12TH DAY OF MARCH 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A.No.6913 of 2019

In the matter of Arbitration and
Conciliation Act, 1996

And

In the matter of Dispute Between
M/S.CHOLAMANDALAM
INVESTMENT AND FINANCE
COMPANY LIMITED

And

Mr.Kumar S and Another arising
under Loan Agreement

No.XSHUNCF00001269304 Dated
08.09.2014.

M/S.CHOLAMANDALAM INVESTMENT AND FINANCE CO.,LTD.,
Dare House,No.2,
N.S.C.Bose Road, Parrys, Chennai-600001.

Represented by its Authorised Signatory

1. MR.KUMAR S
S/O.SREEKRISHNA PERUMAL
OLD DOOR No.10
NEW DOOR No.17/5
MUKILANKUDYERUPPU,
SOUTH THAMARAI KULAM,
AGASTHEESWARAM TALUK,
NEAR BUS STOP, KANYAKUMARI,
TAMILNADU - 629 708.

2. MR.SREEKRISHNA PERUMAL P
S/O.PARAMARTHALINGAM

OLD DOOR No.10
 NEW DOOR No.17/5
 MUKILANKUDYERUPPU,
 SOUTH THAMARAI KULAM,
 AGASTHEESWARAM TALUK,
 NEAR BUS STOP, KANYAKUMARI,
 TAMILNADU - 629 708.

..Respondents

Application praying that this Hon'ble Court be pleased to direct the Respondents to furnish security for the sum of Rs.2,76,961/ together with interest and cost as per award in Arbitration Case.No.BS1429 of 2016 within a time fixed by this Hon'ble Court failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges summons till enforcement of the award passed in the arbitration proceedings and a copy of the attachment order be transmitted through the DISTRICT COURT, NAGERCOIL and the attachment order may be hand delivered to the applicant for transmission.

Application coming on this day before this court for hearing and the Court made the following order:

This application has been filed to direct the respondents to furnish security for a sum of Rs.2,76,961/- together with interest and cost as per award in Arbitration Case No.BS1429 of 2016 within a time fixed by this Court, failing which, to order attachment of the immovable properties morefully described in the schedule to the judges summons till the enforcement of the Award passed in the arbitration proceedings and a copy

of the attachment order be transmitted through the District Court, Nagarkoal and the attachment order may be hand delivered to the applicant for transmission.

2. By order dated 18.09.2019, this Court passed an order directing the respondents to furnish security to the extent of the claim made in the application at Rs.2,76,961/- on or before 24.10.2019, failing which, this Court will be constrained to consider passing an order of attachment.

3. It is stated by the learned counsel that the second respondent died. It is for the applicant to implead the legal representatives of the second respondent and thereafter file execution petition.

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

Sd/.N.S.K.J.

12.03.2020

//Certified to be a true copy//

Dated this the th day of 2020.

su.26.08.2020

COURT OFFICER(O.S.)

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