

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 22ND DAY OF SEPTEMBER 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A.No.81 of 2017
in
A.No.435 of 2014

A. No.435 of 2014

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of dispute between
India Cements Capital Ltd.,
(Formerly known as M/s.India
Cements Capital & Finance Ltd.,)

and

M/s.St.Mary's Properties
Agreement dated 13.10.1997 Hire
Purchase Contract Account
No.99104539.

M/s.India Cements Capital Ltd.,
(formerly known as M/s.India Cements
Capital & Finance Ltd.,) Rep.
by its Vice president G.Radhakrishnan
formerly M/s.Aruna Sugars Finance Ltd.)
"Dhun Building", 3rd and 4th Floor,
No.827, Anna Salai,
Chennai-600 002.

..Applicant

-Versus-

1 M/s. St.Mary's Properties Limited,
St.Mary's Castile,
Mullassery Canal Road,

Cochin 682 011.

2.Mr.Boby Varghese,
Mariya Mankidy,
Pipeline Road,
Padivattom, Cochin 682 024.

3.Ms.Susy Boby Varghese,
Mariya Mankidy,
Pipeline Road,
Padivattom, Cochin 682 024.

..Respondents

A. No.81 of 2017

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of dispute between
India Cements Capital Ltd.,
(Formerly known as M/s.India
Cements Capital & Finance Ltd.,)

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No.99104539.

M-far Realtors Pvt. Ltd.
VII/705-D, N.H. Bye Pass,
Kundannur Junction,
Maradu P.O., Ernakulam,
Represented by its Director
Mr.M.M.Abdul Basheer

..Applicant / Third Party

-Versus-

1.India Cements Capital ltd.,
(formerly known as India Cements
Capital & Finance Ltd., which was formerly
known as Arjun Sugars Finance Ltd.)
Presently having its Registered and Corporate

Office at No.827, "Dhun Building",
3rd and 4th Floor, Anna Salai,
Chennai-600 002.

..1st Respondent / Applicant

2.M/s.St.Mary's Properties Ltd.,
St.Mary's Castle,
Mullassery Canal Road,
Cochin 682 011.
Represented by its Managing Partner
Mr.Boby Varghese

..2nd Respondent / 1st Respondent

3.Mr.Boby Varghese,
Mariya Mankidy,
Pipeline Road,
Padivattom, Cochin 682 024.
Now residing at G-2,
Good Earth Harmony Apartment,
Iysha Road, Ponnurunni, Vytill,
Cochin – 682 019.

..3rd Respondent / 2nd Respondent

4.Ms.Susy Boby Varghese,
Mariya Mankidy,
Pipeline Road,
Padivattom, Cochin 682 024.
Now residing at G-2,
Good Earth Harmony Apartment,
Iysha Road, Ponnurunni, Vytill,
Cochin – 682 019.

..4th Respondent / 3rd Respondent

Application praying that this Hon'ble Court be pleased to vacate the order of attachment dated 18.02.2015 in Appln. No.435 of 2014 attaching Item No.1 of the Schedule of property as mentioned in the order.

This Application coming on this day before this court for hearing, the

court made the following order:

The learned counsel for the applicant would submit that the connected application has already been disposed of. Hence, this application may be dismissed as infructuous.

2. In view of the submission made by the learned counsel for the applicant, this application is dismissed as infructuous.

Sd/.N.S.K.J.
22.09.2020

//Certified to be a true copy//

Dated this the th day of 2020.

su.28.10.2020

COURT OFFICER(O.S.)

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

सत्यमेव जयते
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