

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2020

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Application No.8647 of 2017

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

Vs.

1.Subramanian S
2.Jaineflory

... Respondents

PRAYER : Petition filed under Order XIV Rule 8 of O.S.Rules r/w. Section 9 (ii)(b) of the Arbitration and Conciliation Act, 1996, to direct the Respondents to furnish security for a sum of Rs.1,96,676/- together with interest and cost as per award in Arbitration Case No.SD1872 of 2015 within a time fixed by this Court failing which to order attachment of the immovable property 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 Subordinate Court, Tenkasi and the attachment order may be hand delivered to the applicant for transmission.

For Applicant : Mr.N.Santhosh Nagarajan

ORDER

This application has been originally filed for a direction to the respondent to furnish security for a sum of Rs.1,96,676/- together with interest and cost as per award in Arbitration Case No.SD1872 of 2015.

2.Today, when the matter was taken up for hearing through video conferencing, the learned counsel appearing for the applicant submitted that, award has already been passed and he sought time to bring the legal representatives of the 1st respondent on record and also prayed for some interim relief.

3.However, it is noticed that the matter is pending for more than a year for taking steps to bring the legal heirs of the 1st respondent on record, however, no such application has been filed till now. It is also noticed that the arbitral award has already been passed.

4.In such view of the matter, this Court is not inclined to grant any interim relief in this matter. It is always open to the applicant to enforce the arbitral award in the manner known to law, by impleading the legal representatives of the 1st respondent in the Execution Proceedings.

With the above observations, this application is closed.

28.07.2020

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Internet : Yes

Index : Yes/ No

Speaking order / Nonspeaking order



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N. SATHISH KUMAR, J.

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