

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 28.08.2020****CORAM :****THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR****Application No.9405 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

Dharani S.
S/o.Samraj
No.286, School Street,
Samudram, Thiruvannamalai, Near Bus Stop,
Tamilnadu-606 603. ... Respondent

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(ii)(b) of the Arbitration and Conciliation Act, 1996, to direct the respondent to furnish security for the sum of Rs.1,53,517/- 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 pending disposal of the arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the Subordinate Court, Villupuram and the attachment order may be hand delivered to the applicant for transmission.

For Applicant

: Mr.N.Santhosh Nagarajan

ORDER

This application has been filed by the applicant, seeking a direction to the respondent to furnish security for the sum of Rs.1,53,517/- 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 pending disposal of the arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the Subordinate Court, Villupuram and the attachment order may be hand delivered to the applicant for transmission.

2. Today, when the matter was called, the learned counsel appearing for the applicant submitted through video conferencing that the sole respondent died and proceedings for arbitration have been initiated and are pending in Arbitration Case.

3. In such view of the matter, this Court is not inclined to pass any interim measure under Section 9 of the Arbitration and Conciliation

implead the legal representative of the deceased sole respondent for enforcing the award as per law.

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

Sd/.N.S.K.J.

28.08.2020

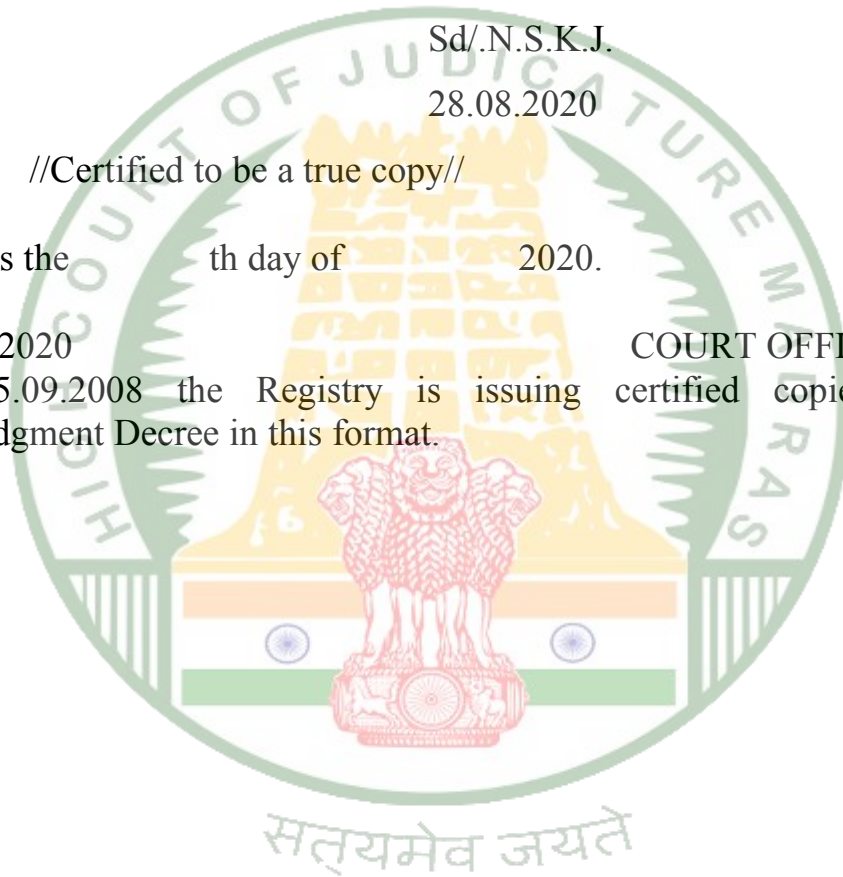
//Certified to be a true copy//

Dated this the th day of 2020.

su.09.10.2020

COURT OFFICER(O.S.)

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



WEB COPY