



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 17TH DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

A. No.1278 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of Disputes between
M/s.TVS Credit Services Limited
and Mrs.Indira A. & another arising
under Loan Cum Hypothecation
Agreement Dated 21.12.2017
bearing Agreement
No.TN3007CA0002876.

M/s.TVS Credit Services Limited,
Jayalakshmi Estates,
New No.29, Old No.8,
Haddows Road, Chennai – 600 006,
Represented by its Authorised Signatory.

... Applicant

-Versus-

1.Mrs.Indira A.
W/o Vijoy Peeris,
872 G, Bharathi Nagar I, KTC Nagar,
Tirunelveli, Palaymkottai.
Water Tank Opp, KTC Nagar S.O.,
Tamil Nadu – 627 011.

2.Mr.Vijay Peeris G.
S/o Gabriel,
872 G, Bharathi Nagar I, KTC Nagar,
Tirunelveli, Palaymkottai,
Water Tank Opp, KTC Nagar S.O.,
Tamil Nadu – 627 011.

... Respondents



Application praying that this Hon'ble Court be pleased to direct the Respondents to furnish security for the sum of Rs.85,404.46 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 pending initiation & 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 and a copy of the attachment order be transmitted through the Munsif Court, Tirunelveli and the attachment order may be hand delivered to the applicant for transmission.

This application coming on this day before this court for hearing in the presence of Mr.D.Pradeep Kumar, Advocate for the Applicant herein, and the respondents herein not appearing in person or by advocate, and upon reading the order herein dated 21.04.2021, **it is ordered as follows:-**

That the immovable property more fully set out in the schedule hereunder be and is hereby attached and the same do remain under attachment until further orders of this court.

2. That 2 copies of this order be transmitted to the Munsif Court, Tirunelveli, for effecting the attachment and the said court do cause the said immovable property to be attached through Senior Bailiff of the said Court in respect of the claim of a sum of Rs.85,404.46 /- (Rupees Eighty Five Thousand Four Hundred and Four and Paise Forty Six Only) and



communicate the effect of such attachment to the Registering Officer within the local limits of whose jurisdiction the whole or any part of the immovable property is situated.

Schedule of Property

All that piece and parcel of immovable property land and Building situated in Ayan Punjai Survey No. 320/1 measuring 1 Acre and 71 Cents which is divided into Housing Plots in the name of Bharathi Nagar 1 in it Plot No.143 measuring 5.94 Cents in it Western side Northern Corner Cent 2.78 measuring East-West on the Northern side 33 Feet, on the Southern side 32.50 Feet, South-North on the Western & Eastern side 37 Feet admeasuring 1211.75 Square Feet equivalent 112.574 together with Rcc house constructed in the said plot measuring 894 Square Feet bearing Door No.872G, Keezha Natham, Keezha Natham Town and Electricity Connection and Deposit bounded on the

North by : Plot No.144

South by : Plot No.143 Western side southern corner 8 feet land

East by : Plot No.143 Eastern side Plot House

West by : 20 Feet Wide Road,

Within SRO, Palayankottai Joint I

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
17th DAY OF JUNE 2021.

Sd./-

ASSISTANT REGISTRAR (Comm. Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies
of the Orders/Judgments/Decrees in this format.



WEB COPY SK

01.07.2021

A. No.1278 of 2021

ORDER

DATED : 17.06.2021

THE HON'BLE MR. JUSTICE
V.PARTHIBAN

FOR APPROVAL: 09.07.2021

APPROVED ON: 13.07.2021

Copy to:

1.Mrs.Indira A.
W/o Vijoy Peeris,
872 G, Bharathi Nagar I,
KTC Nagar,
Tirunelveli, Palaymkottai.
Water Tank Opp, KTC Nagar S.O.,
Tamil Nadu – 627 011.

2.Mr.Vijay Peeris G.
S/o Gabriel,
872 G, Bharathi Nagar I,
KTC Nagar,
Tirunelveli, Palaymkottai,
Water Tank Opp, KTC Nagar S.O.,
Tamil Nadu – 627 011.



WEB COPY

5

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 17TH DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

A. No.1278 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of Disputes between
M/s.TVS Credit Services Limited
and Mrs.Indira A. & another arising
under Loan Cum Hypothecation
Agreement Dated 21.12.2017
bearing Agreement
No.TN3007CA0002876.

M/s.TVS Credit Services Limited,
Jayalakshmi Estates,
New No.29, Old No.8,
Haddows Road, Chennai – 600 006,
Represented by its Authorised Signatory.

... Applicant

-Versus-

1.Mrs.Indira A.
W/o Vijoy Peeris,
872 G, Bharathi Nagar I, KTC Nagar,
Tirunelveli, Palaymkottai.
Water Tank Opp, KTC Nagar S.O.,
Tamil Nadu – 627 011.

2.Mr.Vijay Peeris G.
S/o Gabriel,
872 G, Bharathi Nagar I, KTC Nagar,
Tirunelveli, Palaymkottai,
Water Tank Opp, KTC Nagar S.O.,
Tamil Nadu – 627 011.

... Respondents



Application praying that this Hon'ble Court be pleased to direct the Respondents to furnish security for the sum of Rs.85,404.46 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 pending initiation & 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 and a copy of the attachment order be transmitted through the Munsif Court, Tirunelveli and the attachment order may be hand delivered to the applicant for transmission.

This application coming on this day before this court for hearing, the Court made the following order:-

This application has been filed by the applicant/plaintiff to direct the respondent to furnish security for the sum of Rs.85,404.46 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 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 and a copy of the attachment order be transmitted through Munsif Court, Tirunelveli and the



2. Heard the learned counsel for the applicants.

WEB COPY

3. The case of the applicant is that the respondents herein have purchased a vehicle MAHINDRA QUANTO C6 by availing loan. It is stated that the respondents have paid initial few installments and thereafter they turned out to be a defaulter. As the respondents have not paid further installments, the applicant has come up with the present Application.

3. Even though notice was served and the names of the respondents were printed in the cause list, the respondents have not chosen to appear either in person or through counsel. Therefore, on earlier occasion, this Court has ordered for furnishing security by the respondents within a period of four weeks vide order dated 21.04.2021.

4. Even today, when the matter is taken up for hearing, there is no representation for the respondents. Learned counsel for the applicant would submit that the respondents have not complied with the direction passed by this Court. Therefore, he insisted for ordering attachment before judgment.

5. Considering the above facts and circumstances of the case, there shall be an order of attachment of the immovable property morefully described in the schedule to the Judge's summons. Accordingly, the application stands allowed.

Sd./-V.P.N.J.
17.06.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.