



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 06TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.1340 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of Disputes between M/s.
Manapuram Finance Limited and
Mr.S.Franklin and others Arising
under Loan Agreement Dated
15.06.2019 bearing Loan Agreement
MFTNRCLONS000005101620.

M/s. Manapuram Finance Limited
No. 400 (116/1) Dr. Natesan Road,
Triplicane, Chennai – 600 005.
Represented by its Authorised Signatory
Mr. Maniarasan (Emp. No. 62566)

... Applicant

Versus

1.S.Franklin,
No.307, S1 Flat,
12th Main Road,
Ram Nagar, South Extension,
Pallikaranai, Chennai 600 100.

... Borrower

2.M.Kanniyammal
No.2/135, Anantha Vinayagar Nagar,
Priyapanchery, Kancheepuram,
Chennai 600 122.

...Co-Borrower-I
Respondents



directing the Respondents to furnish security to the satisfaction of an amount of Rs.3,16,816.16/- failing which order for attachment of immovable property of the 2nd Respondent morefully described in the schedule I to the Judges Summons pending initiation and disposal of the 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 to be transmitted through the District Court, Chengalpattu 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.A. Damodaran, Advocate for the Applicant herein, the respondent herein not appearing in person or by Advocate and upon reading the order herein dated 15.07.2021, 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 District Court, Chengalpattu, 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.3,16,816.16/- (Rupees Three



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.

3. That in the meanwhile, the applicant herein shall initiate arbitration proceedings within three months, failing which, the interim order granted by this court stands automatically vacated.

4. That the A.No. 1340 of 2021 do stand closed.

Schedule – 1 (Co-Borrower)

All that piece and parcel of House site, Plot No.31, comprised in S.No.118/1, with an extent of 836 sq.ft., at Periyapanacherry Street and Village and situated at Sub-Registration District of Pammal and Registration District of Chengalpattu.

Four Boundaries

North : Plot No.27

South : Plot No.32

East : Vacant Land

West : Plot No.30 A & Road

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
06TH DAY OF AUGUST 2021.

Sd./-

ASSISTANT REGISTRAR (Comm. Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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SK
24.08.2021
WEB COPY

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A. No.1340 of 2021

ORDER

DATED :06.08.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 24.08.2021

APPROVED ON: 25.08.2021

Copy to:

The Sub Registrar
The Sub Registrar Office
Pammal
Chengalpattu District.



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Respondents



directing the Respondents to furnish security to the satisfaction of an amount of Rs.3,16,816.16/- failing which order for attachment of immovable property of the 2nd Respondent morefully described in the schedule I to the Judges Summons pending initiation and disposal of the 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 to be transmitted through the District Court, Chengalpattu 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 to direct the respondent to furnish security for the sum of Rs.3,16,816.16, within a time fixed by this Hon'ble Court failing which to order attachment of the immovable property of the 2nd respondent morefully described in the Schedule-I to the Judges Summons pending initiation and disposal of arbitration proceedings between the applicant and 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 District Court, Chengalpattu and the attachment order may be hand delivered to the applicant for



2. This Court by an Order dated 15/07/2021, had directed the respondent to furnish security. Despite the same, the respondent has not furnished security. Hence, the applicant seeks for an Order of attachment of the property of the respondent.

3. In view of the same, there shall be an interim Order of attachment as against the respondent. In the meanwhile, the applicant shall initiate arbitration proceedings within three months, failing which, the interim Order granted by this Court stands automatically vacated. The registry is directed to intimate the Order of attachment to the concerned Registrar.

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

Sd./-N.S.K.J.

06.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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