

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 18TH DAY OF FEBRUARY 2021

THE HON'BLE MS. JUSTICE P.T.ASHA

O.A.No.475 of 2020
and
A.No.2291 of 2020

O.A.No.475 of 2020:

In the matter of Section 9 of the
Arbitration and Conciliation Act, 1996
and

In the matter of Arbitration of
disputes arising out of Letter of
Guarantees dated 22.03.2018

TATA CAPITAL FINANCIAL SERVICES LIMITED
REPRESENTED HEREIN BY ITS
AUTHORISED REPRESENTATIVE

1st Floor, Centennial Square,
6A, Dr.Ambedkar Salai,
Kodambakkam, Chennai-600 024

having its registered office at
Tower A, 1101 Peninsula Business Park,
Ganpatrao Kadam Marg,
Lower Parel, Mumbai - 400 013.

..Applicant

-Vs-

1. K BOOTHALINGAM,
28C1/1 Keezha Raman,
Puthoor Road, Nagercoil,
Kanyakumari - 629 002.

2. REKHA R.L.

28C1/1, Keezha Raman,
Puthoor Road, Nagercoil,
Kanyakumari - 629 002.

..Respondents

Original Application praying that this Hon'ble Court be pleased to pass an order of interim injunction, inter alia, restraining Respondents by themselves, their servants, assigns, agents, representatives, officers, trustees, beneficiaries, administrator/s or any other person claiming through or under them or under any instrument whatsoever from in any manner, selling, alienating, transferring, parting with the possession of dealing with disposing of inducting anyone into or developing or creating any third party right or interest of whatsoever nature and in any manner whatsoever in respect of any of their respective assets, both movable and immovable or any portion thereof, either directly and or indirectly.

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In the matter of Section 9 of the
Arbitration and Conciliation Act, 1996
and

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disputes arising out of Letter of
Guarantees dated 22.03.2018

TATA CAPITAL FINANCIAL SERVICES LIMITED
REPRESENTED HEREIN BY ITS
AUTHORISED REPRESENTATIVE

<https://hcservices.ecourts.gov.in/hcservices/>
1st Floor, Centennial Square,
6A, Dr.Ambedkar Salai,

Kodambakkam, Chennai-600 024

having its registered office at
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2. REKHA R.L.
28C1/1, Keezha Raman,
Puthoor Road, Nagercoil,
Kanyakumari - 629 002.

..Respondents 1 and 2

3. Yes Bank,
Trivandrum Branch Office at:
Ground Floor, No.37, Tyeadu Village,
Opp.Tagore Theatre, Vazhuthacaud,
Thiruvananthapuram-695 014,
Trivandrum.

Registered Office at:
Nehri Centre. 9th Floor,
Discovery of India,
Dr.Annie Besant Road,
Worli, Mumbai-400 018.

..Garnishee/3rd Respondent

Application praying that this Hon'ble Court be pleased to direct
the 3rd Respondent to deposit the balance amounts realised out of sale of
the property situated at (i) Door No.2-7B, Trivandrum Road,
Azhagiyamandapam, Mulagumoodu, Po - 629 167 (ii) Door No.253D/1
K.P.Road, Nagercoil - 629 003 (iii) Door No.31, B/1-1, Beach Road

Junction, Nagercoil - 629 002 morefully herein below after due satisfaction of their loan pending disposal of the Arbitration Proceedings.

These Original Applications and applications are coming on this day before this court for hearing the court made the following order:

Since the Arbitration proceedings are underway, the applications are closed, giving liberty to the applicant to approach the Arbitral Tribunal for the same reliefs. No costs.

Sd/.P.T.A.J.
18.02.2021

//Certified to be a true copy//

Dated this the day of 2021.

SU/24.02.2021

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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