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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 05TH DAY OF AUGUST, 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

Arb Appln No. 101 of 2021

and

A.No.5385 of 2015

A.No.5385 of 2015:-

In the matter of Arbitration & Conciliation
Act, 1996

And

In the matter of Disputes between
M/s.Cholamandalam Investment and
Finance Company Ltd. and
Mr.V.Soundararajan Arising under Loan
Agreement No.XSHUCHN00000950544
Dated 10.04.2013.

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-

Mr.V.Soundararajan
S/o.Vadivel,
No.4, Karneckar Street,
Pallavaram, Tambaram,
Tamil Nadu – 600 043

...Respondent



Application praying that this Hon'ble Court be pleased to direct the

Respondent to furnish security for the sum of Rs.13,93,174/- 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 till enforcement of the award passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Court, Chengalpattu, Tamil Nadu and the attachment order may be hand delivered to the applicant for transmission.

Arb.Appln.No.101 of 2021:-

In the matter of Arbitration and Conciliation
Act, 1996

And

In the matter of Disputes between
Mr.V.Soundrarajan – Vs –
M/s.Cholamandalam Investment and
Finance Company Ltd Arising Under Loan
Agreement No.XSHUCHN00000950544
Dated 10.04.2013.

Mr.V.Soundararajan
S/o.Vadivel,
No.4, Karneckar Street,
Pallavaram, Tambaram,
Tamil Nadu – 600 043

...Applicant/ Respondent

-Versus-

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.

...Respondent/ Applicant



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Application praying that this Hon'ble Court be pleased to raising the attachment of the order passed dated on 06.06.2016 in A.No.5385 of 2015 by this Hon'ble Court.

These applications coming on this day before this court for hearing in the presence of Mr.D.Pradeep Kumar, advocate for the applicant in A.No.5385 of 2015 and for the respondent in Arb.Appl.No.101 of 2021, and Mr.M.Senthil Murugan, advocate for the applicant in Arb.Appl.No.101 of 2021 and for the respondent in A.No.5385 of 2015 and upon reading the Judge's Summons and the affidavit of Soundrarajan filed in Arb.A.No.101 of 2021, and the order dated 06.06.2016 made in A.No.5385 of 2015, it is ordered:-

That the order of attachment granted in pursuance of the order dated 06.06.2016 made in A. No.5385 of 2015 attaching the immovable properties morefully setout in the schedule hereunder, be and are hereby raised.

Schedule of property

Land & building situated in Jameen Pallavaram Village, Vignesh Nagar Extension, bearing S.No.190/6A2, 190/6A3, 190/6, Plot No.4 measuring East West Northern side 62 feet, Southern side 62 feet, North South Eastern Side 30 feet, Western Side 30 feet admeasuring 1860 square feet, in it 1000

Square feet undivided share, bounded on the

North by plot 3



East by 16 feet Road

South by Plot 5

West by Vels College Compound Wall.

Within the SRO Pallavaram.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
05th 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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24.08.2021

Arb.Appln.No. 101 of 2021
and
A.No.5385 of 2015

ORDER

DATED: 05.08.2021

THE HON'BLE MR.JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 25.08.2021

APPROVED ON: 26.08.2021

Copy to:

1.The District Court,
Chengalpattu, Tamil Nadu

2. The Sub Registrar,
Sub Registrar Office,
Pallavaram.



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 05TH DAY OF AUGUST, 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

Arb Appln No. 101 of 2021

and

A.No.5385 of 2015

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Chennai – 600 001
Represented by its Authorised Signatory.

...Applicant

-Versus-

Mr.V.Soundararajan
S/o.Vadivel,
No.4, Karnekar Street,
Pallavaram, Tambaram,
Tamil Nadu – 600 043

...Respondent



Respondent to furnish security for the sum of Rs.13,93,174/- 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 till enforcement of the award passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Court, Chengalpattu, Tamil Nadu and the attachment order may be hand delivered to the applicant for transmission.

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Mr.V.Soundrarajan – Vs –
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-Versus-

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.

...Respondent/ Applicant



Application praying that this Hon'ble Court be pleased to raising the attachment of the order passed dated on 06.06.2016 in A.No.5385 of 2015 by this Hon'ble Court.

This Arb Application coming on this day before this court for hearing
the court made the following order:-

This application has been filed to raise the attachment of the order passed dated 06.06.2016 in Application No.5385 of 2015 by this Court.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the applicant would submit that vide, order, dated 06.06.2016, this Court was pleased to grant an order of attachment of the immovable property. Thereafter, the matter has been settled between the parties. Hence the applicant itself had filed the instant Application.

3. In view of the submission made by the learned counsel appearing for the applicant, this Court is of the view that since the matter is settled between the parties, attachment order, dated 06.06.2016, is raised. Registry is directed to intimate the Order raising the attachment to the concerned Registrar.

4. With the above direction, this application is ordered.

Sd./-N.S.K.J.
05.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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