

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY THE 5TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A.No.98 of 2021

and

A. No.615 of 2017

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.Jayaraman A. & another Arising
under Loan Agreement
No.XTRAPRM00001127939 Dated
29.01.2014.

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-

1. Mr.Jayaraman A.
S/o.Arumugam
No.2/91D, Vettakudi, Ayansuthamalli,
Ariyalur District, Tamil Nadu 621 707.

2. Mr.Arumugam K.
S/o. Kandasamy
No.91C, Vettakudi, Ayansuthamalli,
Ariyalur District, Tamil Nadu 621 707.

... Respondents

A. No.615 of 2017

Application praying that this Hon'ble Court be pleased to furnish

security for the sum of Rs.4,95,494.85 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 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 District Court, Ariyalur, Tamil Nadu and the attachment order may be hand delivered to the applicant for transmission.

A.No.98 of 2021

Application praying that this Hon'ble Court be pleased to raise the order of attachment dated 27.04.2017 made in Application No.615 of 2017 attaching the immovable property morefully described in the schedule to the judges summons and a copy of the order raising attachment be transmitted through the District Court, Ariyalur, Tamil Nadu and communicated to SRO Keezhaapazhur.

This application coming on this day before this court for hearing in the presence of Mr.D.Pradeep Kumar, Advocate for the Applicant in both Applications, and upon reading the Judges Summons and the Affidavit of S.Sivasubramanian filed A.No98 of 2021 and the order dated 27.04.2017 made in A.No.615 of 2017, and the learned counsel for the applicant having submitted that this Court is of the view that since the matter is settled, **It is**

ordered as follows:

That the order of attachment granted in pursuance of the order dated 27.04.2017 made in A.No.615 of 2017 attaching the immovable property morefully setout in the schedule hereunder, be and is hereby raised.

Schedule of Property**Item No.1**

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.171/1G, extent 0.28.0 Ares equivalent 0.69 Cents.
Within SRO Keezhaapazhur.

Item No.2

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.172/2C, extent 0.20.0 Ares equivalent 0.49 Cents.
Within SRO Keezhaapazhur.

Item No.3

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.172/2G, extent 0.16.0 Ares equivalent 0.40 Cents.
Within SRO Keezhaapazhur.

Item No.4

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.173/2A, extent 0.12.0 Ares equivalent 0.30 Cents.
Within SRO Keezhaapazhur.

Item No.5

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.173/2C, extent 0.06.5 Ares equivalent 0.16 Cents.
Within SRO Keezhaapazhur.

Item No.6

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.173/3, extent 0.76.0 Ares equivalent 1.80 Cents.

Within SRO Keezhaapazhur.

Item No.7

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.182/6A, extent 0.06.0 Ares equivalent 0.15 Cents.

Within SRO Keezhaapazhur.

Item No.8

Land situated in Suthamalli Village, bearing Ayan Punjai Survey No.224/8B, extent 0.16.0 Ares equivalent 0.40 Cents.

Within SRO Keezhaapazhur.

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.)

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

KY

14.08.2021

A.No.98 of 2021
and
A. No.615 of 2017

ORDER

DATED : 05.08.2021

THE HON'BLE MR.JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 16.08.2021

APPROVED ON: 16.08.2021
Copy to:

1. The District Court,
Ariyalur, Tamil Nadu.
2. The Sub Registrar,
Sub Registrar Office,
Keezhaapazhur.

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A.No.98 of 2021

Application praying that this Hon'ble Court be pleased to raise the order of attachment dated 27.04.2017 made in Application No.615 of 2017 attaching the immovable property morefully described in the schedule to the judges summons and a copy of the order raising attachment be transmitted through the District Court, Ariyalur, Tamil Nadu and communicated to SRO Keezhaapazhur.

These applications coming on this day before this court for hearing, The Court made the following order:

This application has been filed to raise the attachment dated 27.04.2017, made in Application No.615 of 2017, attaching the immovable property morefully described in the schedule to the Judges summons and a copy of the order raising attachment be transmitted through the District

Court, Ariyalur, Tamil Nadu and Communicate to SRO-Keezhaapazhur.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the applicant would submit that vide, order, dated 27.04.2017, 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 27.04.2017, is raised. Registry is directed to intimate the Order of raising 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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