

A.No.2815 of 2021 in
C.S.No.247 of 2021

V.PARTHIBAN, J.

This application is filed seeking a direction to the respondent/defendant to furnish security to the tune of Rs.1,08,86,398/-, by a date to be fixed by this Court and in default of the defendant doing so order attachment of the properties morefully described in the Judges summon filed herewith before judgment pending disposal of the suit.

2.Heard the learned counsel for the applicant.

3.The case of the applicant is that the respondent herein has executed two promissory notes on 05.10.2019, one in favour of the applicant promising to pay a sum of Rs.1,03,90,400/- with interest at 18% p.a and another in favour of the son of the applicant, promising to pay a sum of Rs.22,23,600/- with interest at 18% p.a. As regards the promissory note in favour of the applicant, the respondent has repaid a sum of Rs.35,00,000/- and towards the another promissory note, he repaid a sum of Rs.20,00,000/- . The above suit is laid on both the promissory note for the balance due and the present application has been filed with the above prayer.

V.PARTHIBAN, J.

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4. On an earlier occasion, this Court has ordered furnishing of security by the respondent on or before 20.10.2021 *vide* order dated 13.09.2021. When the matter is taken up for hearing today, learned counsel for the applicant would submit that the respondent has not complied with the direction passed by this Court. Therefore, he insists upon ordering attachment.

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

20.10.2021

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Note: Registry is directed to communicate the order of attachment to the respondent.

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