



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 23RD DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P.No.650 of 2019

and

A.No.6057 of 2019

In the matter of Arbitration and
Conciliation Act 1996 and
In the Matter ACP (EF/C.A.R)
No.CAR 006 of 2019 between
M/s Shriram City Union Finance
Ltd., And
Mr.Senguttuva.S and
Mrs.Padmavathy Award dated
30.03.2019 Petition under Section
34 of the Arbitration and
Conciliation Act, 1996.

1.Mr.Senguttuvan.S,
S/o Mr.Subramanian

2.Mrs.Padmavathy,
C/o Mr.Senguttuvan,

Both residing at
No.2/22, 8th Street,
Ashok Nagar,
Chennai – 600 083

...Petitioners / Applicants

Vs

M/s Shriram City Union Finance Ltd,
Represented by its Authorized,
Representative having their office at
No.123, Angappan Naickan Street,
Chennai – 600 001.

And it's inter alia Branch, Sorrento Building,
I Floor, No.6, L.B.Road,
Adyar, Chennai – 600 020.

...Respondent / Respondent

**O.P.No.650 of 2019:-**

Original Petition praying that this Hon'ble Court be pleased to set aside the exparte award dated 30.03.2019 passed in Arbitration matter No.ACP(EF/C.A.R) No.CAR 006 of 2019 between M/s Shriram City Union Finance Ltd., and the petitioners.

A.No. 6057 of 2019:-

Application praying that this Hon'ble Court be pleased to stay the operation of the impugned award passed by the Arbitrator dated 30.03.2019 in No. ACP(EF/C.A.R)No.CAR 006 of 2019 pending disposal of the above OP.

This Original Petition along with the application coming on this day before this court for hearing in the presence of Mr.J.Saravana Vel, Advocate for the petitioners in O.P.No.650 of 2019 and for the applicants in A.No.6057 of 2019 and Mr.K.V.Anantha Krishnan, Advocate for the respondent in O.P.No.650 of 2019 and A.No.6057 of 2019 and upon reading the petition and the award dated 30.03.2019 filed herein and the memo of compromise signed by the petitioners and the respondent with their respective advocates and the said advocates for the parties hereto and this court doth recording the memo of compromise morefully set out in the schedule hereunder, **it is ordered as follows:-**



That the Original Petition No.650 of 2019, be and is hereby dismissed as settled out of court.

2. That the Petitioners herein, have agreed to pay a sum of Rs.9,50,000/- (Rupees Nine Lakhs Fifty Thousand only) towards full and final settlement of the award dated 30.03.2019 made in ACP (EF/C.A.R) No.CAR 006 of 2019 payable on or before 30.10.2021 in a single payment or in two installments.

3. That in default of paying the aforesaid as mentioned in clause (2) Supra, the respondent herein, shall be at liberty to execute the award dated 30.03.2019 made in ACP (EF/C.A.R) No.CAR 006 of 2019 in entirety.

4. That the A.No.6057 of 2019 do stand closed.

Schedule- Memo of Compromise



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12.10.2021

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O.P.No.650 of 2019
and
A.No.6057 of 2019

ORDER

DATED : 23.07.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 18.10.2021

APPROVED ON: 20.10.2021



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THE HIGH COURT OF JUDICATURE AT MADRAS

Date 23.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No. 650 of 2019
and Application No.6057 of 2019

1. Mr.Senguttuvan.S
 2. Mrs.Padmavathy
- . . . Petitioners

Versus

M/s.Shriram City Union Finance Ltd,
Represented by its Authorized,
Representative having their office at
No.123, Angappan Naickan Street,
Chennai-600001.
And it's inter alia Branch, Sorrento Building,
I Floor, No.6, L.B.Road,
Adyar, Chennai – 600020.

. . . Respondent

PRAYER : Petition filed under Section 34(2)(a)(i), (iii) and (v) and 34(2)(b)(ii) and 34 (2-A) of Arbitration and Conciliation Act, 1996 to set aside the exparte award dated 30.03.2019 passed in Arbitration matter No.ACP (EF/C.A.R) No. CAR 006 of 2019 between M/s.Shriram City Union Finance Ltd., and the petitioners.

For petitioners	: Mr.J.Saravana Vel
For respondent	: Mr.K.V.Ananthakrishnan

ORDER

This original petition has been filed to set aside the exparte award dated 30.03.2019 passed in Arbitration matter No.ACP (EF/C.A.R) No. CAR 006 of 2019 between M/s.Shriram City Union Finance Ltd., and the



petitioners.

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2. When the matter was taken up today, the learned counsel appearing for both sides submitted that the matter has been settled between the petitioners and the respondent. The petitioners have agreed to pay a sum of Rs.9,50,000/- (Rupees Nine lakhs and fifty thousand only) towards full and final settlement of the award dated 30.03.2019 made in ACP(EF/C.A.R) No. CAR 006 of 2019 payable on or before 30.10.2021 in a single payment or in two instalments. In this regard, a Memo of Compromise dated 15.07.2021 has been filed. The said Memo of Compromise is taken on record.

3. In such view of the matter, this Original Petition is dismissed as settled out of Court and the Memo of Compromise entered between the petitioners and the respondent shall form part of this Order. Consequently, connected application is closed. In the event of failure to pay the said amount, the respondent is at liberty to execute the award dated 30.03.2019 made in ACP(EF/C.A.R) No. CAR 006 of 2019 in entirety.

Sd./-N.S.K.J.
23.07.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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