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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 6TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

Arb.Appln.No. 160 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of disputes between
M/s.Cholamandalam Investment and
Finance Company Ltd and Mrs.
Selvarani N. Arising under loan
Agreement

No.XSHUTHY00002712586 Dated
23.12.2018.

M/s.Cholamandalam Investment and
Finance Company Limited,
No. 45, Justice Basheer Ahmed Sayeed Building,
II Floor, 2nd Line Beach, Moore Street,
Parrys, Chennai-600 001.

Represented by its Authorised Signatory

. . . Applicant

Versus

Mrs. Selvarani N.
W/o. Nagarajan,
No. 1-237 A, Kurumbar Street, Devanur,
Musiri, Trichy, Near Bus Stop,
Tamil Nadu – 621214.

... Respondent

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

Respondent to furnish security for the sum of Rs.1,96,080/- 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 initiation and disposal of arbitration proceedings between the Applicant and the Respondent 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, Trichy, Tamil Nadu and the attachment order may be hand delivered to the applicant for transmission.

This application coming on this day before this court for hearing in the presence of Mr.D. Pradeep Kumar, Advocate for the Applicant herein, and the Respondent herein not appearing in person or by Advocate and upon reading the judges summons and the affidavit of S.Sivasubramanian, filed herein, **it is ordered as follows:-**

That the respondent herein, be and is hereby directed to furnish security to the tune of Rs.1,96,080/- (Rupees One lakh Ninety Six Thousand and Eighty only) within a period of six weeks i.e on or before 17.11.2021.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 6TH DAY OF OCTOBER 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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Arb.Appln.No. 160 of 2021

ORDER

DATED : 06.10.2021

THE HON'BLE MR. JUSTICE
V.PARTHIBAN

FOR APPROVAL: 12/10/2021

APPROVED ON: 22/10/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 6TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

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

This application is filed seeking a direction to the respondent to furnish security to the tune of Rs.1,96,080/-, to satisfy the decree that may be passed in the above civil suit.

2. Notice was ordered to the respondent in this application, on 19.08.2021. The respondent was served and affidavit of service also has been filed. Even on the last occasion, this Court finds that there is no representation on behalf of the respondent. When the matter is called today, even after the Court waited for few minutes, there is no response from the respondent.

3. Even though service of notice has been effected and the name of the respondent is also printed in the cause list, the respondent has not chosen to appear either in person or through counsel.

4. This Court perused the materials available on record. This Court is



also *prima facie* convinced with the reasons stated in the affidavit filed in support of this application.

5. Therefore, the respondent is directed to furnish security to the extent of the claim made by the applicant within a period of six weeks. This application is ordered accordingly.

Sd./-V.P.N.J.

06/10/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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