

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY THE 07TH DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

Arb.Appln No.192 of 2021

in

A. No.7062 of 2019

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. Eby
Gladston Christopher.C arising under
Loan Agreement
No.XSHUNCF00002511164 Dated
03.08.2018.

M/s.Cholamandalam Investment and
Finance Company Limited,
'Dare House', No.2, N.S.C.Bose Road,
Parrys, Chennai-600 001
rep. by its Authorised Signatory

... Applicant

-Versus-

Mr.Eby Gladston Christopher C,
S/o.Christopher Dhas,
No.44A1, South Weavers Colony, Nagercoil,
Kanyakumari, Near Paris Hall, Tamilnadu – 629 003.

... Respondent

Arb.Appln No.192 of 2021:-

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of Arbitration of the
disputes between

M/s.Cholamandalam Investment and
Finance Company Limited and
Mr. Eby Gladston Christopher.C
Agreement
No.XSHUNCF00002511164 Dated
03.08.2018.

Mr.Eby Gladston Christopher C,
S/o.Mr.Christopher Dhas,
Door No.44A1, South Weavers Colony,
Needankarai “A” Village,
Agasteeswaram Taluk,
Nagercoil, Kanyakumari – 629 003.

... Applicant /Respondent

-Versus-

M/s.Cholamandalam Investment and
Finance Company Limited,
'Dare House', No.2, N.S.C.Bose Road,
Parrys, Chennai-600 001.

... Respondent/Applicant

Arbitration Application praying that this Hon'ble Court be pleased to
raise the order of attachment dated 31/07/2020 made in A.No.7062 of 2019
on the file of this Hon'ble Court and to communicate the order to the Sub
Registrar, Rajakamangalam, Kanyakumari District.

This application coming on this day before this court for hearing in
the presence of Mr.Nanchill J.Rajkumar, advocate for the Applicant herein,
and Mr.N.Santhosh Nagarajan, advocate for the Respondent herein, upon
reading the Judge's Summons and the affidavit of Eby Gladston Christopher
filed in Arb.A.No.192 of 2021, and the order dated 31.07.2020 made in
A. No.7062 of 2019, it is ordered:-

That the order of attachment granted in pursuance of the order dated 31.07.2020 made in A. No.7062 of 2019 attaching the immovable properties morefully setout in the schedule hereunder, be and are hereby raised.

SCHEDULE OF PROPERTY

Land with Building comprised in Survey No.9999/G5/19/7 admeasuring an extent of 769.12 Sq.mt. in N.M.C.993 in Pa.Sa.96 Cents Northern side Common pathway Eastern Lipton Jothi Christopher's portion 11 Cents 750 Sa.li. Western side 20 Cents including common path to be used by Anbu Goldston Christopher balance 19 Cents equivalent to 769.12 Sq.mt. N.M.C.No.43 ward Pa.Aa.44A2 in Melasankarankuzhi Village Panchayat, Neendakarai A Village and having bounded on the

North by : 15' ft Wide Common Path

South by : Justus's Land

East by : Younger Son Lipton Jothi Christopher Settlement Land

West by : Common Path 1 Cent Street

And situate within the Sub Registration District of Rajackamangalam.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
07th DAY OF SEPTEMBER 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.

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16.09.2021

Arb.Appln No.192 of 2021
in
A. No.7062 of 2019

ORDER

DATED : 07.09.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 17.09.2021

APPROVED ON: 17.09.2021

Copy to:

1. The District Court,
Nagerkoil.

2. The Sub Registrar,
The Sub Registrar Office,
Rajackamangalam,
Kanyakumari District.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Arbitration Application praying that this Hon'ble Court be pleased to
raise the order of attachment dated 31/07/2020 made in A.No.7062 of 2019
on the file of this Hon'ble Court and to communicate the order to the Sub
Registrar, Rajakamangalam, Kanyakumari District.

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

This application has been filed to raise the Order of attachment of this
Court dated 31.07.2020 made in A.No.7062 of 2019 on the file of this Court
and to communicate the order to the Sub Registrar Rajakamangalam,
Kanyakumari District.

2. Heard the learned counsel for the applicant. Mr.N.Santhosh Nagarajan, learned counsel takes notice for the respondent and he has no objection for allowing this application.

3. In such view of the matter, this application is Ordered as prayed for. The Registry is directed to inform the raising of the Order of attachment to the concerned Registrar.

Sd./-N.S.K.J.
07.09.2021

//Certified to be true copy//
Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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