

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 16TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb.Appln.No. 285 of 2021

in

A.No.1664 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of Disputes between
M/s.TVS Credit Services Limited and
Mr.Kathiravan J. Arising under Loan
Cum Hypothecation Agreement Dated
25.09.2018 bearing Agreement No.
TN3007CA0003437.

M/s.TVS Credit Services Limited
Jayalakshmi Estates,
New No.29, Old No.8,
Haddows Road,
Chennai – 600 006.

Represented by its Authorised Signatory

... Applicant / Applicant

Vs.

Mr.Kathiravan J,
S/o. Jesumanian,
4/88, Thirumoola Nagar, Azhagappapuram,
Agasteeswaram, Anjugramam B.O.,
Kanyakumari, RC Church,
Tamil Nadu – 629401.

... Respondent / Respondent

Application praying that this Hon'ble Court be pleased to raise the
order of attachment dated 16/07/2021 made in A.No.1664 of 2021 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 Sub Court, Nagarcoil and communicated to SRO of Kottaram.

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 upon reading the order dated 16.07.2021 made in A.No.1664 of 2021, **it is ordered as follows:-**

That the order of attachment granted in pursuance of the order dated 16.07.2021 made in A. No.1664 of 2021 attaching the immovable properties morefully setout in the schedule hereunder, be and is hereby raised.

Schedule of Property

Item No.1

All that piece and parcel of land situated in Kulasekarapuram, bearing New Survey No.471/9, measuring 0.08.0 Ares equivalent 19 3/4 cent bounded on the East by land of Anilet Anbuarasi
South by Oodai
West by Gnanalet land
North by land in New Survey No.474/7
Within SRO Kottaram

Item No.2

Plot situated in Kulasekarapuram, measuring 2 1/4 cents equivalent

91.06 square meter situated on the western side in the Plot situated on the Northern side of East-West pathway on Southern side in New Survey No.464/23-1 Are and New survey No. 464/24 - 1.5 Are totally 2.5 Ares equivalent 6 1/4 cents together with pathway rights, bounded on the

East by Armstrong plot

South by Pathway

West by Sowrimuthu Plot

North by New Survey No. 264/22 plot

Within SRO Kottaram

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
16TH DAY OF NOVEMBER 2021.

Sd/-

ASSISTANT REGISTRAR(COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2022.

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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29.12.2021

Arb.Appln.No. 285 of 2021
in
A.No.1664 of 2021

ORDER

DATED:16.11.2021

THE HON'BLE MR.JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 03.01.2022

APPROVED ON: 06.01.2022

Copy to:

1. The Sub Court,
Nagarcoil.
2. The Sub-Registrar
Sub – Registrar's Office
Kottaram.

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the immovable property morefully described in the schedule to the Judges Summons and a copy of the order raising attachment be transmitted through the Sub Court, Nagarcoil and communicated to SRO of Kottaram.

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

This Court, by its order dated 16.07.2021 in A.No.1664 of 2021, ordered attachment of the property mentioned in the Judge's Summons, owned by the respondent. A.No.285 of 2021 has been filed to raise the said order of attachment.

2. The Applicant, who is the financial institution, has stated in the affidavit that subsequent to the order of attachment, the respondent has settled the dues to the applicant and therefore, has sought for raising the order of attachment dated 16.07.2021.

3. Since the claim has been fully settled, the order of attachment dated 16.07.2021 passed by this Court in A.No.1664 of 2021 is raised and A.No.285 of 2021 is ordered as prayed for.

Sd./-A.Q.J.

16.11.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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