

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 30TH DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

Arb.Appln.No.220 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
Mr.Luvictor L. & another Arising
under loan Agreement
No.XSHUMDM00002352191 Dated
30.03.2018.

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

1.Mr.Luvictor.L,
S/o. Lucose,
No. 3-6-19B, Puthuveetu Konam,
Cheruvallloor, Devicode, Kanniyakumari,
Tamil Nadu – 629152.

2. Mrs. Lali L.
W/o. Luvictor L.,
No. 3-6-19B, Puthuveetu Konam,
Cheruvallloor, Devicode, Kanniyakumari,
Tamil Nadu – 629152.

... Respondents

Application praying that this Hon'ble Court be pleased to direct the Respondent to furnish security for the sum of Rs.2,65,271.44/- 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 Respondents 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 Sub – Court, Kuzhithurai, Kanyakumari District 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 Respondents 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 respondents herein, be and are hereby directed to furnish security to the tune of Rs.2,65,271.44/- (Rupees Two lakhs Sixty Five Thousand Two Hundred and Seventy One and paise Forty Four only) within

a period of four weeks i.e on or before 28.10.2021.

2. That the Arb.Appln.No.220 of 2021 be posted on 28.10.2021.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
30TH 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.)

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EVK
25/10/2021

Arb.Appln.No.220 of 2021

ORDER

DATED : 30.09.2021

THE HON'BLE MR. JUSTICE
V.PARTHIBAN

FOR APPROVAL: 25.10.2021

APPROVED ON: 27.10.2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 30TH DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

Arb.Appln.No.220 of 2021

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Application praying that this Hon'ble Court be pleased to direct the Respondent to furnish security for the sum of Rs.2,65,271.44/- 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 Respondents 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 Sub – Court, Kuzhithurai, Kanyakumari District and the attachment order may be hand delivered to the applicant for transmission.

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.2,65,271.44, to satisfy the decree that may be passed in the above civil suit.

2. Notice was ordered to the respondents in this application, on 14.09.2021. The respondents was served and affidavit of service also has been filed.

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

4. Therefore, the respondents are directed to furnish security to the extent of the claim made by the applicant within a period of four weeks. This application is ordered accordingly.

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

30/09/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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