

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 28TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

Arb.Appln.No. 278 of 2021

in

A.No.5317 of 2019

In the matter of Arbitration &
Conciliation Act, 1996

And

In the matter of Disputes between
M/s Equitas Small Finance Bank
Ltd. and Mr.Shanmugaraj And
others arising under Loan
Agreement Dated 26.10.2016
bearing Loan Agreement
No.SLTUTCN0115110.

M/s.Equitas Small Finance Bank Ltd.,
4th Floor, Phase-II, Spencer Plaza,
769, Anna Salai, Chennai,
Tamil Nadu – 600 002
Represented by its Authorised Signatory
Mr.R.S.BHARATH (Emp.No.31681)

: Applicant / Applicant

Vs.

1.Mr.SHANMUGARAJ P,
No.3/125-1, Perinba Nagar, Muthiah Puram,
Tuticorin, Tamilnadu – 628 005. : Borrower / Respondent-1

2.Mrs.THERSA S,
No.3/125-1, Perinba Nagar, Muthiah Puram,
Tuticorin, Tamilnadu – 628 005. :Co Borrower / Respondent-2

Application praying that this Hon'ble Court be pleased to pass an order to raise the attachment of the order of this Hon'ble Court in A.No. 5317 of 2019 and 13.09.2019 and transmit through District Court, Tuticorin.

This application coming on this day before this court for hearing in the presence of Mr.A.Damodaran, Advocate for the applicant herein and upon reading the judges summons and the affidavit of R.S.Bharath, filed herein and upon reading the order dated 13/09/2019 made in A.No.5317 of 2019, it is ordered:-

That the order of attachment granted in pursuance of the order dated 13/09/2019 made in A.No. 5317 of 2019 attaching the immovable property morefully set out in the schedule hereunder, be and is hereby raised.

2. That the Arb.Appln.No. 278 of 2021 in A.No.5317 of 2019 do stand closed.

SCHEDULE (Co-borrower)

All the Piece and parcel of house site Comprised in S.No.91/1,91/1A with an extent of 1488 Sq.ft.3.41 Cents, Situated at Door no:3/125'1 Muthaiyapuram Village, Tuticorin District within the Tuticorin Joint 1 Sub Registration District, Tuticorin Registration District.

Four Boundaries

North – Pathway

South – The Benthegosthea saba house site

East – House site belongs to Kalaiselvan Bernatsha & Selvaibarathi

West – House site belong to S.A.Paulraj

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
28TH 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.)

From 25th Day of September 2008 the Registry is issuing certified copies
of the Orders/Judgments/Decrees in this format.

EVK
18.11.2021

Arb.Appln.No. 278 of 2021
in
A.No.5317 of 2019

ORDER

DATED:28.10.2021

THE HON'BLE MR.JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 22/11/2021

APPROVED ON: 23/11/2021

Copy to:

1. District Court,
Tuticorin.
2. The Sub-Registrar
Sub – Registrar's Office
Tuticorin.

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Application praying that this Hon'ble Court be pleased to pass an order to raise the attachment of the order of this Hon'ble Court in A.No. 5317 of 2019 and 13.09.2019 and transmit through District Court, Tuticorin.

This 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, dated 13.09.2019, made in Application No.5317 of 2019, attaching the immovable property morefully described in the schedule to the Judges summons and a copy of the order raising attachment be communicated to Sub Registration District of Tuticorin.

2. Today, when the matter is taken up for hearing, Mr.A.Damodaran, learned counsel appearing for the applicant would submit that vide order dated 13.09.2019, this Court was pleased to grant an order of attachment of the immovable property. Thereafter, the matter has been settled between the parties. Hence the applicant itself had filed the instant Application.

3. In view of the submission made by the learned counsel appearing for the applicant, this Court is of the view that since the matter is settled between the parties, attachment order, dated 13/09/2019, is raised. Registry is directed to intimate the Order of attachment to the concerned Registrar.

4. With the above direction, this application is closed.

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

28/10/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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