



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 21ST DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.3227 of 2020

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of Disputes between
M/S CHOLAMANDALAM
INVESTMENT

AND FINANCE CO., LTD.,

and Mr.Osman Mohiddin

M.Arising under Loan Agreement

No.XVFPTNY00002579666

Dated 27.09.2018

M/S CHOLAMANDALAM INVESTMENT AND FINANCE CO., LTD

No.45, Justice Basheer Ahmed Sayeed Building,

IInd Floor, 2nd Line Beach,

Moore Street, Parrys, Chennai-600 001.,

Represented by its Authorised Signatory.

..Applicant

-Vs-

1. MR..OSMAN MOHIDDIN.M,

S/o.Mahaboob,

No.5B, Citrine Block,

Olympia, Opaline, Navalur,

Chennai-603 103.

..Respondent

2. HCL TECH LTD.,

ETA Technopark,

SEZ- No-33, OMR, Navalur Village,

Kanchipuram-600 103.

..Garnishee



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This Application praying that this Hon'ble Court be pleased to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.4,12,225.35/- to the Respondent by withholding the salary of Respondent every month to the extent as contemplated in Section 60 of C.P.C viz after deducting the first Rs.1,000/- of the salary of the Respondent and withholding 1/3rd of the remainder salary and restrain the Respondent from receiving the salary amount so withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the above application 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.

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

This application has been filed to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.4,12,225.35 to the respondent by withholding the salary of respondent every month to the extent as contemplated in Section 60 of CPC, after deducting the first



remainder salary and restrain the respondent from receiving the salary amount to withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the above application pending initiation and disposal of arbitration proceedings between the applicant and respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings.

2. Heard Mr.D.Pradeep Kumar, learned counsel for the applicant.

3. Learned counsel appearing for the applicant submitted that the service of notice on respondents is not completed.

4. In view of the above, this petition is closed. Liberty is granted to file fresh application with correct address.

Sd/.N.S.K.J.
21.06.2021

//Certified to be a true copy//

Dated this the th day of 2021.

su.13.07.2021

COURT OFFICER(O.S.)