



Arb.Appln.No.103 of 2022

Arb.Appln.No.103 of 2022
and A.No.497 of 2018

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SENTHILKUMAR RAMAMOORTHY, J.

The lender is the applicant herein. The lender had earlier applied to this Court by A.No.497 of 2018 to prohibit the second and third respondents herein / garnishees from making payment to the extent of Rs.5,41,076/- to the respondent and to instead remit the withheld amount to the credit of the above application. In the said application, an order dated 19.04.2018 was passed attaching the salary of the first respondent. Subsequently, A.No.5038 of 2019 and A.No.68 of 2019 were filed seeking payment out of specific sums of money from and out of monies credited to the application. Such applications were allowed previously.

2. The applicant submits that a sum of Rs.26,804/- remains to the credit of A.No.497 of 2018 as Court deposit and relies upon the certificate of funds in this regard.

3. The applicant also relies upon the consent letter issued by the borrower, whereby the borrower has consented to the filing of necessary applications by the applicant for payment out of monies lying in Court deposit.



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4. In view of previous orders in this regard and, in particular, in view of the consent letter from the borrower notice to the borrower is not necessary in this application.

5. Accordingly, Arb.Appln.No.103 of 2022 is allowed by directing payment out of a sum of Rs.26,804/-, which is standing to the credit of A.No.497 of 2018, by issuing a cheque in favour of the applicant.

06.09.2022

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