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O.A.No.706 of 2022

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SENTHILKUMAR RAMAMOORTHY, J.

The applicant seeks to restrain the respondent from re-possessing the vehicles described in the Judge's summons. From the documents enclosed by the applicant, it is evident that the relevant loans were recalled on the ground that the applicant had not discharged obligations as per the terms on which credit facilities were extended. By the loan recall notice, the applicant was also put on notice that the lender is entitled to re-possess the hypothecated vehicles.

2. Learned counsel for the applicant contends that the applicant has discharged the loan obligations and that irreversible injury will be caused to the applicant if the respondent is permitted to re-possess the vehicles.

3. The loan recall notices were replied to by the applicant through the applicant's lawyer. On examining the said reply, the reply does not set out



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any particulars or details as to how the applicant / borrower discharged the

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loan obligations. Apart from stating that the dues were being paid from the date of receipt of the loan, the said reply is bereft of particulars.

4. In the above facts and circumstances, no case is made out to interfere with the exercise of contractual or legal rights by the respondent. Therefore, this application is dismissed subject to the observation that any action by the respondent shall be strictly in accordance with the terms of the relevant loan agreement and applicable law.

10.11.2022

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