



Arb.Appln.No.265 of 2023 in

A.No.213 of 2012

R.N.MANJULA,J.

This application has been filed by the third party to raise the order of attachment passed by this Court in A.No.213 of 2012 dated 26.02.2015.

2. The applicant / third party claims to be the owner of the petition mentioned property at Plot No.97, Block No.6, LIG - II type, Dr.Puratchi Thalaivi J.Jayalalitha Nagar West Scheme, Chennai 600 037, comprised in Survey No.494 pt, Mugappair Village, Arumbakkam Taluk, Tiruvallur District to an extent of 1050 Sq.ft.

3. As per the submission of the learned counsel for the applicant / third party, the third party applicant had applied housing loan to purchase a house property and the said loan has been pre-closed on 20.12.2022. The said property was purchased by the applicant by virtue of a sale deed dated 30.11.2011. She came to know from the Encumbrance Certificate that the property has been attached in view of the application filed by the first respondent in connection with some other



proceedings.

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4. The first respondent is the Financial Institution and it had lent a loan to the respondents 2 and 3. On the allegation that the property has been offered as a security for the loan availed by them, the property was attached for non payment of the said loan. Since the property belonged to the third party who is the applicant herein, the third party has filed this application to raise the attachment.

5. The facts pleaded by the third party is not disputed by the first respondent / Financial Institution. Hence, this Application is allowed and the attachment as ordered in A.No.213 of 2012 dated 26.02.2015 shall be raised.

18.07.2023

gsk

NOTE : The Registry is directed to communicate this order to the concerned Registrar.

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