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E.P.No.10 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

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THE HONOURABLE MS.JUSTICE P.T. ASHA

E.P.No.10 of 2023

in

C.S.(Comm.Div.).No.334 of 2018

Netsweeper Inc.,
A Company having its registered office at
Suite 301, 140 Columbia Street West,
Waterloo, Ontario N2L 3K8
Canada,
Formerly at:
Suite 4, 156 Columbia Street, W,
Waterloo, Ontario,
Canada, N2L 3L3
Rep. By its authorized signatory
Mr.Vignesh Murali

... Plaintiff

Vs.

- 1.Websec Solutions Pvt. Ltd.
CIN:U72900TN2005PTC057942
Formerly, known as Netsweeper Technologies Pvt. Ltd.
Having office at No.5-1-1, Arihant Majestic Towers,
J N Road, 100 Feet Road, Kyambedu,
Chennai - 600107
- 2.Mr.C.Gajapathy,
Director and Shareholder,
Websec Solutions Pvt. Ltd.
Formerly, known as Netsweeper Technologies Pvt. Ltd.
Having office at No.5-1-1, Arihant Majestic Towers,
J N Road, 100 Feet Road, Kyambedu,
Chennai – 600107.



3.Mrs.Haritha Gajapathy,
Director,
Websec Solutions Pvt. Ltd.

Formerly, known as Netsweeper Technologies Pvt. Ltd.
Having office at No.5-1-1, Arihant Majestic Towers,
J N Road, 100 Feet Road, Kyambedu,
Chennai – 600107.

4.Netsweeper Technologies India Pvt. Ltd.
CIN: U72900TN2017PTC117540,
having registered office at
No.4B, Soundarya Apartments,
Mel Ayanambakkam Main Road,
Mel Ayanambakkam, Chennai -600095

5.Mr.Jagdeesh Sengodappa,
Director and Shareholder,
Netsweeper Technologies India Pvt. Ltd.
No.4B, Soundarya Apartments,
Mel Ayanambakkam Main Road,
Mel Ayanambakkam, Chennai -600095.

6.Mr.Senthamaraikannan Pradeepkanna,
Director and Shareholder,
Netsweeper Technologies India Pvt. Ltd.
No.4B, Soundarya Apartments,
Mel Ayanambakkam Main Road,
Mel Ayanambakkam, Chennai -600095.

...Respondents(Judgement Debtors)/Defendants

7.HDFC Bank,
Ashok Nagar Branch,
No.53, Plot No.B-4,
Fourth Avenue,
Ashok Nagar,
Chennai – 600083.
Rep. By its Branch Manager.

... Garnishee/third party



Prayer: Execution Petition filed under Order XXI, rule 11(2) of CPC read with Order XXI rule 46 of the Code of Civil Procedure, 1908, to grant the following relief:-

It is prayed that this Hon'ble Court may be pleased to attach the amount(s) to the extent of EP Claim lying with the Garnishee/Respondent No.7 in the said bank account, morefully described in the Schedule mentioned hereunder, to the satisfaction of the decree dated 08.06.2022 made in C.S.(Comm.Div.)No.334 of 2018 by the Hon'ble High Court, Madras passed in favour of the Petitioner.

For Plaintiff : M/s.R.Mithra
for M/s. Fox Mandal and Associates
For Defendants : Mr.C.Mohan
for M/s.King & Partridge [R.7]



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E.P.No.10 of



ORDER

The above Execution Petition is filed for the following reliefs:-

“That for realization of the sum of Rs.1,09,03,782.1/- plus 18% interest until the date of payment of amount in full as stated in Column 8 above, it is prayed that this Hon’ble Court may be pleased to attach the amount(s) to the extent of EP Claim lying with the Garnishee/Respondent No.7 in the said bank account, morefully described in the Schedule mentioned hereunder, to the satisfaction of the decree dated 08.06.2022 made in C.S.(Comm.Div.)No.334 of 2018 by the Hon’ble High Court, Madras passed in favour of the Petitioner”

2. The Garnishee/Respondent No.7, had filed an affidavit dated 16.08.2023 stating that a sum of Rs.23,31,530.64/- was the balance available to the credit of the Judgement Debtor. This Court by order dated 16.08.2023, had directed the Garnishee/Respondent No.7 to disburse the said amount to the Decree Holder. The transfer of funds have also taken place on 24.08.2023 and it is reported that the amounts have also been received by the Decree Holder. With the receipt of the above sum, there is a part satisfaction of the decree.



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3.It is informed that as on date no amounts stands to the credit of the Judgement Debtor with the Garnishee/Respondent No.7. Since the Garnishee/Respondent No.7 has complied with the direction in the Execution Petition and as the Plaintiff/Decree Holder has received the amounts, this Court records part satisfaction of the decree in C.S.No.344 of 2018 dated 08.06.2022. Therefore, the Execution Petition is closed. No costs.

01.09.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

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P.T. ASHA, J.

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in

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