



WEB COPY



CMA No.877 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2025

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CMA No.877 of 2025
and C.M.P.No.7219 of 2025

M/s.Bloom Farms
Represented by its Proprietor,
S.Sakthivel

.. Appellant

-VS-

Logical Agri Business India (P) Ltd.,
Represented by its Managing Director,
Valsan,
Door No.8/423, Trichy Main Road,
Nagarajapuram Village,
Vasanthapuram Post,
Namakkal Town,
Namakkal Taluk.

.. Respondent

Prayer: Appeal filed under Section 13(1-A) of Commercial Courts Act, 2015 read with Order 43 Rule 1 of Code of Civil Procedure, against the order of attachment dated 24.01.2025 passed in I.A.No.2 of 2023 in C.O.S.No.2 of 2023 on the file of Principal District Court, Namakkal.

For Appellant : Mr.S.Saravanakumar

For Respondent : Mr.Prem Kumar M
for Mr.S.Senthil

* * * * *



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JUDGMENT

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(Judgment of the Court was delivered by the Hon'ble Chief Justice)

After the appeal was heard, following order, by consent, without prejudice to rights and contentions of the parties, is passed:

a) In view of the fact that the properties mentioned in items 2 to 7 are all mortgaged to Indian Overseas Bank, Thondamuthur Branch, Coimbatore, the bank will issue a certificate, confirming that the said properties are mortgaged with it;

b) If the mortgage is discharged of all the properties or any of the property, the discharge certificate shall not be issued without the leave of the Court of the Principal District Judge, Namakkal, in Commercial Original Suit No.2 of 2023;

c) If any of the mortgaged property is sold and there is a surplus between the sale proceeds and what is due to the bank, the surplus will be deposited promptly in the Court of the Principal District Judge, Namakkal to the credit of Commercial Original Suit



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No.2 of 2023;

d) Appellant's statement that they have no property other than what is mentioned in items 2 to 7 referred to in the order dated 22.11.2024 is taken as an undertaking to this Court; and

e) If the above order as regards the mortgaged property etc. has to be modified, the parties may apply to the Principal District Judge, Namakkal for modification.

2. Appeal is disposed of. There shall be no order as to costs.

Consequently, interim application stands closed.

3. We clarify that we have not made any observation on the merits of the matter or orders passed thereunder.

(K.R.SHRIRAM, CJ.)

(MOHAMMED SHAFFIQ, J.)

24.03.2025

Index : Yes/No

Neutral Citation : Yes/No

mrn



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CMA No.877 of 2025

The Hon'ble Chief Justice
and
Mohammed Shaffiq, J.

(mrn)

To
The Principal District Court,
Namakkal

CMA No.877 of 2025
and C.M.P.No.7219 of 2025

24.03.2025