

O.A.No.572 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 06.08.2025

CORAM :

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

O.A.No.572 of 2025

M/s.SMFG India Credit Company Limited,  
(Formerly Fullerton India Credit Company Limited)  
Represented by its Authorised Signatory  
Mr.G.Sankararaman

... Applicant

Vs.

Sunkireddy Srilatha

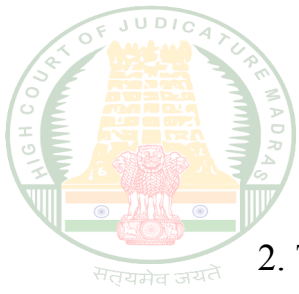
... Respondent

Prayer: Application filed under Order XIV Rule 8 of the Original Side Rules read with Section 9(2)(b) and (e) of the Arbitration and Conciliation Act, 1996, Section 136 of the Code of Civil Procedure, 1908, to pass an order of Interim Injunction restraining the respondent, or his men, agents or anybody acting on his authority to transfer, alienate, encumber or sell the property morefully described in the schedule hereunder to any third party.

For Applicant : Mr.V.Balasubramani

**ORDER**

As directed by this Court on 21.07.2025, the name of the respondent is printed in the cause list of today i.e., on 06.08.2025.



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2. The respondent has been duly served with the notice in this application and the same was also recorded by this Court on 21.07.2025.

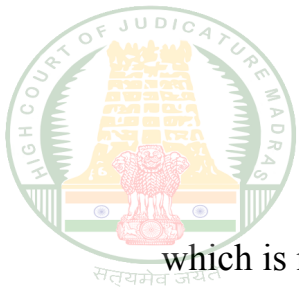
3. Since there is no representation on the side of the respondent, the respondent is set *ex parte* by this Court.

4. This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, seeking for an order of interim injunction to restrain the respondent from alienating by entering into an agreement with third parties in respect of the property morefully described in the schedule to the judges summons.

5. It appears that the respondent is a defaulter in repayment of the loan to the applicant under the Loan-cum-Hypothecation Agreement dated 26.04.2022.

6. The applicant has already recalled the loan of the respondent through its Loan Recall Notice dated 16.11.2024.

7. According to the applicant, the only security, now available for them to recover the dues from the respondent, is the property owned by the respondent



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which is morefully described in the schedule to the judges summons.

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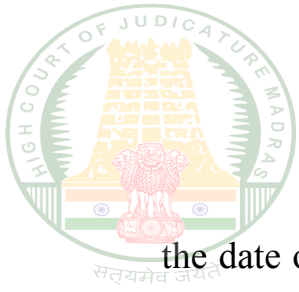
8. The applicant has filed a copy of CERSAI Certificate dated 26.10.2024 to prove that the respondent is the owner of the property morefully described in the schedule to the judges summons.

9. The applicant has also filed a Statement of Account along with this application and as per the Statement of Account, a sum of Rs.8,28,928.67/- is due, payable by the respondent.

10. The applicant has made out a *prima facie* case for grant of interim injunction as prayed for in this application. The balance of convenience and irreparable hardship have also been established by the applicant.

11. Since the respondent is set *ex parte* in this application and as the applicant has made out a *prima facie* case and has also established balance of convenience and irreparable hardship, there shall be an order of interim injunction as prayed for in this application. This application, is thus, allowed.

12. The applicant shall initiate arbitration within a period of 90 days from



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the date of receipt of a copy of this order as per Section 9(2) of the Arbitration and Conciliation Act, 1996. No cost.

**06.08.2025**

arb

**ABDUL QUDDHOSE, J.**

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