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Arbitration Application No.38 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.38 of 2026

M/s.Cholamandalam Investment and
Finance Company Limited,
'Chola Crest', C 54 & 55, Super B-4,
Thiru Vi ka Industrial Estate,
Guindy, Chennai – 600 032.
represented by its Authorised Signatory

.... Applicant

Vs.

1. Mr.Prasanna S
S/o.Selvaraj

2. Mrs.Durgalakshmi P
W/o.Prasanna

.... Respondents

Prayer :-

Arbitration Application filed under Order XIV Rule 8 of OS Rules r/w Section 9(1) (ii) (b) of the Arbitration and Conciliation Act, 1996 to direct the Respondents to furnish security for the sum of Rs.2,25,590/- within a time fixed by this Hon'ble Court failing which to order attachment of the immovable properties morefully described in the Schedule to the Judges Summons till enforcement of the award passed in the arbitration proceedings and a copy of the attachment order be transmitted through the Principal District Court, Chengalpat, Tamilnadu and the attachment order may be hand delivered to the Applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar



ORDER

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When this application came up for hearing on 21.01.2026, this

Court passed the following order:

“This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 seeking for a direction to the respondents to furnish security for a sum of Rs.2,25,590/- based on the award passed on 11.08.2025.

2.It is brought to the notice of this Court that the vehicle has already been seized and thereafter, the award has been passed and in spite of the same, the respondent is yet to pay the dues.

3. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court, there shall be a direction to the respondents to furnish security for a sum of Rs.2,25,590/- before the next date of hearing.

4. Notice to the respondents returnable by 16.02.2026. Private notice is also permitted. Post on 16.02.2026.”

2. The private notice sent to the respondents has been returned with an endorsement “no such person in the address” and affidavit of service has also been filed. As the notice has been sent to the address given in the agreement, there is a deemed service on the respondents and the respondents are neither present nor represented through counsel.

3. In the light of the earlier order dated 21.01.2026 and also considering the fact that the respondents have not furnished security to



Arbitration Application No.38 of 2026

the extent of Rs.2,25,590/- [Rupees Two Lakhs Twenty Five Thousand Five Hundred and Ninety only], there shall be an order of attachment of the properties mentioned in the schedule to the Judges Summons till enforcement of the award passed in the arbitration proceedings. This order shall be transmitted to the concerned Sub Registrar for making necessary entry in the encumbrance certificate.

In the result, this application is allowed in the above terms.

16.02.2026

Index:Yes/No
Speaking Order/Non-speaking order
NCC:Yes/No
gm



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Arbitration Application No.38 of 2026

N.ANAND VENKATESH, J.

gm

Arbitration Application No.38 of 2026

16.02.2026