



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb Appln No. 521 of 2026

M/s.Cholamandalam Investment and
Finance Company Limited,
Chola Crest, C54-55 & Super B – 4,
Thiru-vi-ka Industrial Estate,
Guindy, Chennai – 600 032,
Represented by its Authorised Signatory.

..Petitioner(s)

Vs

1.Kamalnath M
2.Murugan C

3.Panchayat Union Middle School
Vakkankottai Village
Erraseegalahalli
Dharmapuri, Tamil nadu – 635106.

..Respondent(s)

Prayer Arbitration Application under Order XIV Rule 8 of Original Side Rules read with Section 9(ii)(b) of the Arbitration and Conciliation Act, 1996 praying to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.11,79,355.60 to the 2nd Respondent by withholding the salary of 2nd Respondent every month to the extent as contemplated in section 60 of C.P.C. viz., after deducting the first Rs.1,000/- of the salary of the 2nd Respondent and withholding 1/3rd of the remainder salary and restrain the 2nd respondent from receiving the salary amount so withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the above application pending initiation and disposal of arbitration proceedings between the Applicant and the Respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings.



For Petitioner(s): Mr.D.Pradeep Kumar

For Respondent(s): No appearance

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ORDER

This application has been filed to pass an order prohibiting the Garnishee from making payment upto a limit of Rs.11,79,355.60 to the 2nd Respondent by withholding the salary of 2nd Respondent every month to the extent as contemplated in section 60 of C.P.C. viz., after deducting the first Rs.1,000/- of the salary of the 2nd Respondent and withholding 1/3rd of the remainder salary and restrain the 2nd respondent from receiving the salary amount so withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the above application pending initiation and disposal of arbitration proceedings between the Applicant and the Respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings.

2. In spite of notice through Court having been served on the respondents, the respondents had neither chosen to appear before this Court in person nor are being represented by a counsel. The names of the respondents have been reflected in the cause-list. They were called absent and set *ex parte*.



3. I have considered the submissions made by the learned counsel for the applicant and also perused the materials placed on record.

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4. This Court is of the view that the applicant has made out a *prima facie* case for passing an order prohibiting the Garnishee from making payment upto a limit of Rs.11,79,355.60 and also finds that the arbitration proceedings had been initiated and it is pending before the learned Arbitrator.

5. Upon considering the facts and circumstances of the case and the submissions made by the learned counsel for the applicant, this Court is satisfied with the prayer sought for in this application and in fine, this application is ordered as prayed for.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

Maya

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