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Arb Appln No. 1547 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1547 of 2025

1. Cholamandalam Investment And
Finance Co Ltd
Chola Crest, C 54 and 55, Super B-4,
Thiru Vi Ka Industrial Estate, Guindy,
Chennai

Applicant

Vs

1. Maheswaran B
S/o.Balakrishnan, No.8/15,
N.R.S.Nagar, NArasimhanaicken
Palayam, Near Vinayakar Kovil
Coimbatore, Tamil Nadu 641 031.

2.Iyyappan C
No 11, Vinayakar Kovil Street,
Periyanaickenpalayam,Near Lakshmi
Mills, Coimbatore,Tamilnadu

Respondent(s)

PRAYER

Application filed under Or.XIV, Rule 8 of O.S.Rules, r/w.sec.9(1)(ii)(b) of Arbitration and Conciliation Act, 1996 toTo direct the Respondents to furnish security for the sum of Rs.6,41,971/- within a time fixed by this 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, Coimbatore, Tamilnadu and the attachment order may be hand delivered to the Applicant for transmission.



For Applicant : Mr.D.Pradeep Kumar

For Respondents :

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ORDER

When the application came up for hearing on 24.11.2025, 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.6,41,971/- based on the award passed on 21.08.2025.

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, there is a total due of Rs.6,41,971/- payable by the respondents.

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.6,41,971/- before the next date of hearing.

4. Notice to the respondents returnable by 15.12.2025. private notice is also permitted. Post on 15.12.2025.”

2. Notice was sent to the respondents. In so far as the 1st respondent is concerned, the same has been returned with an endorsement ‘no such person’.

In so far as the 2nd respondent is concerned, notice has been served, Affidavit of Service has been filed to that effect. There is no appearance for the 2nd respondent either in person or through counsel.



3. The attachment is sought for in so far as the property belonging to 2nd respondent.

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4. In the case on hand, the Award has already been passed and the respondents have failed to furnish any security. Hence, this Court is inclined to pass an order of attachment as sought for in this application.

5. In view of the above, this application is allowed. The order shall be communicated to the concerned Sub Registrar Office to make necessary entries in the encumbrance Certificate.

6. This application is accordingly stands allowed.

msr

05-01-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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N.ANAND VENKATESH J.

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