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Arb Appln No. 1542 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. 1542 of 2025

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

Applicant

Vs

1. M/s Vaighaa Transport, Rep by its
Proprietor
No.935/1D, Dharmalingeswarar Kovil
Street, Marapalam, Madukkarai,
Coimbatore Nr.Vinayakar Kovil, Tamil
Nadu 641 105.

2.Subran A
No. 475/A, Dharmalingeswarar Kovil
Street, Marapalam, Madukkarai,
Coimbatore, Nr. Vinyakar
Kovil, Tamilnadu

Respondents

PRAYER

Application filed under Order XIV, Rule 8 of O.S.Rules r/w.sec.9(1)(ii)(b) of the Arbitration and Conciliation Act, 1996 to direct the Respondents to furnish security for the sum of Rs.4,52,815/- within a time fixed by this Honble 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.

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For Applicant : Mr. D. Pradeep Kumar

ORDER

When the application came up for hearing on 21.11.2025, 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.4,52,815/- based on the award passed on 20.08.2025.

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.4,52,815/- 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 tot he respondents to furnish security for a sum of Rs.4,52,815/- before the next date of hearing.

4. Notice to the respondents returnable by 17.12.2025. private notice is also permitted. Post on 17.12.2025.”

2. Private notice said to have been sent to the respondents has been returned with an endorsement ‘refused’ and Affidavit of Service has also been filed. Hence, there is deemed service of notice on the respondents and there is no appearance for the respondents either in person or through counsel.



3. Heard the learned counsel for the applicant and carefully perused the materials available on record.

4. considering the fact that there is already an Award passed in favour of the applicant and respondents have not chosen to furnish security that was directed by this Court, by order dated 21.11.2025, this Court is inclined to pass an order attaching the property morefully described in the schedule to the Judge's Summons as prayed for.

5. Necessary communication shall be made to the concerned Sub Registrar Office to effect necessary entry in the encumbrance certificate.

6. This application is accordingly allowed.

05-01-2026

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

1.M/s Vaighaa Transport,
Rep by its Proprietor
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N.ANAND VENKATESH J.

msr

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