



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1631 of 2026

AND

CMP NO. 7618 OF 2026

1. The Manager
Cholamandalam Investment Finance
Company Limited, Dare House, No.2,
NSC Bose Road, Parrys, Chennai 600
001 and another

2. Narayanan
Branch Manager, Cholamandalam
Investment and Finance Limited,
No.30, I Floor, Duraisamy Redy Street,
West Tambaram, Chennai-45.

Petitioner(s)

Vs

1. Saravanan
S/o.Palani, No.60, Ancheneyar Koil
Street, Poonamallee, Chennai 600 056

Respondent(s)

CRP No. 1631 of 2026

PRAYER

To strike of the entire proceedings in OP No. 180 of 2022 pending on the file of IX Asst. City Civil Court, Chennai as without jurisdiction and pass such further or other orders as this Honble Court.

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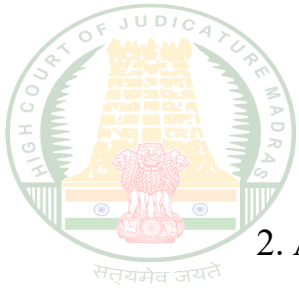
For Petitioner(s): MR.K.B.Vivekanandhan

For Respondent(s):

**ORDER**

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The learned counsel for the petitioner submits that there was a loan agreement dated 27.06.2019 between the petitioner and the respondent. As per the terms of loan agreement, the petitioner advanced a loan for a sum of Rs. 12,79,757/- repayable in Equated Monthly Instalments; in the event of the respondent failed to pay EMI, as per the arbitral clause in the agreement, the parties are referred to Arbitration. However, suppressing the Arbitral clause the respondent filed E.I.O.P No. 180 of 2022 on the file of IX Asst. City Civil Court, Chennai under Section 5 & 6 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, seeking interim injunction against the petitioner herein. Therefore, the petitioner herein filed I.A No. 3 of 2023 in E.I.O.P No. 180 of 2022 under Section 8 & 5 of the Arbitration and conciliation Act 1996 to refer the parties to the Arbitration proceedings under Section 8 of the Arbitration and Conciliation Act, 1996 and to dismiss E.I.O.P No. 180 of 2022. But the Trial Court dismissed the said application stating that whether the interest charged by the petitioner is exorbitant or not can only be decided by this Court not by the Arbitrator. Challenging the same, the petitioner filed this Civil Revision Petition to strike off the plaint.



2. Admit. Court notice and Private notice are permitted on the respondent

returnable by 14.07.2026.

3. Post the matter on 14.07.2026, till then, E.I.O.P No. 180 of 2022 pending on the file of IX Asst. City Civil Court, Chennai, is ordered to be stayed.

21-04-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The IX Asst. City Civil Court, Chennai



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T.V.THAMILSELVI J.
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