

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated:23.07.2025

Coram

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

A.No.5807 of 2022, E.P.No.111 of 2022,
E.P.No.90 of 2024 and Proclamation No.7 of 2025

A.No.5807 of 2022:

The Official Assignee,
High Court, Madras.

.. Decree holder

/versus/

1.S.Arjunlal Sunderdas
No.23, Anderson Road,
Nungambakkam, Chennai 600 006.

..1st Respondent/Insolvent

2.Najimudeen Majieed, (deceased)
Barnas Industrial, Valliammal Road,
Vepery, Chennai 600 006.

..2nd Respondent/Judgment
Debtor

3.Zeenath Anusha Beevi,
Old No.6, New No.15, Commander in
Chief Road, Ethiraj Lane, Chennai 600 008.

(The 3rd respondent is brought on record as the
legal representative of the deceased 2nd respondent



as per the order dated 26.06.2024 made in
A.No.2049 of 2024)

..3rd Respondent

WEB COPY

Application has been filed under Order XIV, Rule 8 of O.S.Rules read with Order 21, Rule 41 of C.P.C., to leave to the decree holder to seek an order for attendance and examination of the Judgment Debtor to disclose to this Hon'ble Court the affidavit of assets to be made by the judgment debtor under Order 21, Rule 41 as per Form No.16-A of C.P.C., and also for production of documents.

For Applicant :Mr.K.V.Ananthakrushnan

For Respondents :M/s S.Elambharathi for R2 and R3

E.P.No.111 of 2022

The Official Assignee,
High Court, Madras.

.. Decree Holder

/versus/

1.S.Arjunlal Sunderdas
No.23, Anderson Road,
Nungambakkam, Chennai 600 006.

..1st Respondent/Insolvent

2.Najimudeen Majieed,
Barnas Industrial, Valliammal Road,
Vepery, Chennai 600 006
Presently at
No.8, NMZ Gardens Valliammal Road at
Off, Ritherdon Road, Vepery, Chennai-7.



Also at

Old No.6, New No.15,
Commander in Chief Road, Egmore
Chennai 600 008.

.. 2nd Respondent/Judgment Debtor

3.H.D.F.C.Bank Ltd.,
Egmore Branch,
Kaibotta House New 5,
1st Street, Sait Colony,
Egmore, Chennai 600 008.

.. Garnishee

Execution Petition has been filed to prohibit the Garnishee HDFC Bank and to attach the decretal amount to sum of Rs.68,65,000/- lying in credit of judgment debtor in account Nos.12841000009696, 12841930000814, 12842320000067 maintaining with the Garnishee bank HDFC Bank Egmore Branch, Sait Colony, Chennai 600 008 and deposit the same to the credit of this execution petition under Section 60 and Order 21, Rule 46 of C.P.C.

For Petitioner :Mr.K.V.Ananthakrushnan

For Respondents :Mr.C.Mohan, Assist by

M/s A.Rexy Josephine Mary

for M/s King and Partridge for R3

E.P.No.90 of 2024:

The Official Assignee,
High Court, Madras.

.. Decree Holder

/versus/

Page No.3/11



WEB COPY

ArjunlalSunderdas(deceased Insolvent)

Naimudeen Masjjeed (deceased)

1.Zeenath Anusha Beevi

2.Shireen Fathima Fazil

3.Hajara Benasir

4.Siddiqa Shahnas

5.Mohamed Arshad

Old No.6, New No.15,

Commander in Chief Road,

Ethiraj Lane, Chennai 600 008.

..Judgment Debtors

(1 to 5 respondents)

Execution Petition has been filed to order attachment and sale of the immovable property at Old No.6, New No.15, Commander-in-Chief Road, Eithiraj Lane Egmore, Chenna 600 008, morefully described in the schedule of the judgment debtor and to adjust the sale proceeds towards the decree made in application 169 of 2017 to the estate of Arjunlal Sunderdas under Section 60, Order 21, Rule 54, 64 and 66 of C.P.C.

For Petitioner :Mr.K.V.Ananthakrushnan

For Respondents :M/s S.Elambharathi for R1, R3 and R4

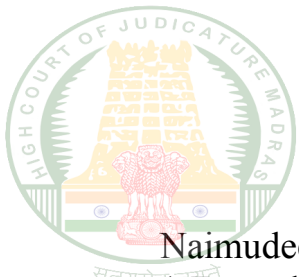
Proclamation No.7 of 2025:

The Official Assignee,

High Court, Madras.

.. Decree Holder

/versus/



Naimudeen Masjied (deceased)

1.Zeenath Anusha Beevi

2.Shireen Fathima Fazil

3.Hajara Benasir

4.Siddiqa Shahnas

5.Mohamed Arshad

Old No.6, New No.15,

Commander in Chief Road,

Ethiraj Lane, Chennai 600 008.

..Judgment Debtors
(1 to 5 respondents)

Proclamation petition has been filed to order for sale of the immovable property described in the schedule.

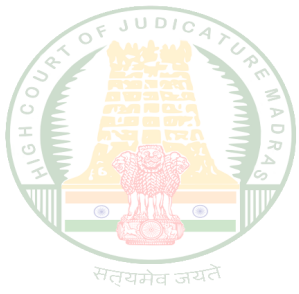
For Petitioner :M/s K.V.Anantha Krushnan

For Respondents :M/s S.Elambharathi for R1, R3 and R4

COMMON ORDER

A Memorandum is filed on behalf of the Judgment Debtor stating One Time Settlement of Rs.1,37,00,000/-, Rs.25,00,000/- along with 20% interest on the principal amount with administrative fees of Rs.30,000/- is tendered by way of Five Demand Drafts and cash of Rs.30,000/-. The detail of payment is stated below:

“The Demand Drafts for Rs.1,37,00,000/- and Rs.25,00,000/- vide DD.Nos.590031 and 590029 respectively



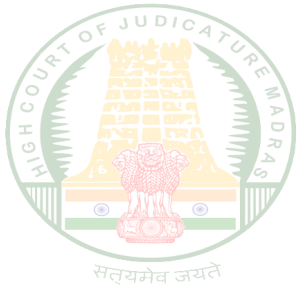
WEB COPY



dated 23.07.2025 drawn on Indusind Bank, Chennai. The respondent submits that 20% interest on the total principal amount (Rs.1,37,00,000/- + Rs.25,00,000/- = Rs.1,62,00,000/-) works out to RS.32,40,000/- and for the said amount the respondent had taken two demand drafts vide Rs.16,20,000/- each vide DD Nos.590028 and 590027 respectively dated 23.07.2025 drawn on Indusind Bank, Chennai. Further the respondent took administrative fee of Rs.30,000/- vide DD No.590027 dated 23.07.2025 draw on Indusind Bank, Chennai.

2. The learned Official Assignee states that on payment of those amounts as an One Time Settlement, the debt payable to the estate of the insolvent gets fully satisfied and full satisfaction is recorded towards the amount payable under application Nos. 104 of 2016 and Application No.169 of 2017 and other connected applications.

3.As a result, connected applications in Application No.5807 and E.P.Nos.111 of 2022, stands closed.



WEB COPY

4. E.P.No. 90 of 2024 and proclamation No.7 of 2025 passed pursuant to the E.P.No.90 of 2024 is closed. Consequently, attachment order passed in E.P.No.90 of 2024 stands raised. The restraint order passed on 13.11.2024 in E.P.No.90 of 2024, E.P.No.111 of 2022, A.No.5807 of 2022 and E.P.DR.No.128393 of 2022 is hereby vacated, in view of the full satisfaction of the debt amount. Any entry in the Registrar Office regarding the restrain order dated 13.11.2024, the same may be deleted.

(DR.G.J.J.) (C.V.K.J.)
23.07.2025

Copy to:

The Registry is directed to
post the remaining cases in A.No1178, 5806
and 5809 of 2022 for the orders on 06.08.2025

A.No.5807 of 2022

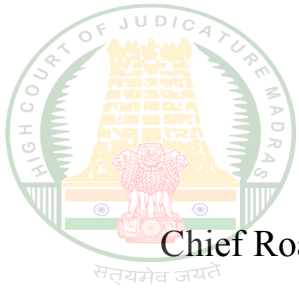
To

1.S.Arjunlal Sunderdas
No.23, Anderson Road,
Nungambakkam, Chennai 600 006.

2.Najimudeen Majieed, (deceased)
Barnas Industrial, Valliammal Road,
Vepery, Chennai 600 006.

3.Zeenath Anusha Beevi,
Old No.6, New No.15, Commander in

Page No.7/11



Chief Road, Ethiraj Lane, Chennai 600 008.

WEB COPY E.P.No.111 of 2022

To

1.S.Arjunlal Sunderdas
No.23, Anderson Road,
Nungambakkam, Chennai 600 006.

2.Najimudeen Majieed,
Barnas Industrial, Valliammal Road,
Vepery, Chennai 600 007.
Also at Old No.6, New No.15,
Commander in Chief Road, Egmore
Chennai 08.
Presently at
No.8, NMZ Gardens Valliammal Road at
Off, Ritherdon Road, Vepery, Chennai-7.

3.H.D.F.C.Bank Ltd.,
Egmore Branch,
Kaibotta House New 5,
1st Street, Sait Colony,
Egmore, Chennai 600 008.

E.P.No.90 of 2024

ArjunlalSunderdas(deceased Insolvent)

Naimudeen Masjied (deceased)

- 1.Zeenath Anusha Beevi
- 2.Shireen Fathima Fazil
- 3.Hajara Benasir
- 4.Siddiqa Shahnas
- 5.Mohamed Arshad



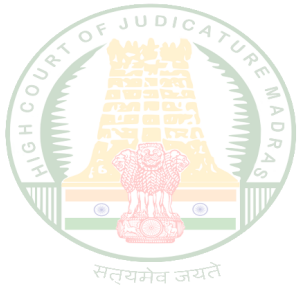
Old No.6, New No.15,
Commander in Chief Road,
Ethiraj Lane, Chennai 600 008.

Proclamation No.7 of 2025

Naimudeen Masjied (deceased)

- 1.Zeenath Anusha Beevi
- 2.Shireen Fathima Fazil
- 3.Hajara Benasir
- 4.Siddiqah Shahnas
- 5.Mohamed Arshad

Old No.6, New No.15,
Commander in Chief Road,
Ethiraj Lane, Chennai 600 008.



WEB COPY

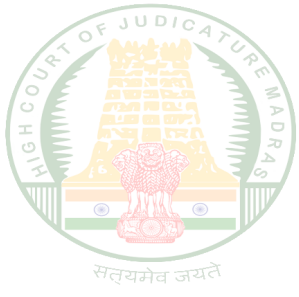


DR.G.JAYACHANDRAN,J.
AND
C.V.KARTHIKEYAN,J.

ari

A.No.5807 of 2022, E.P.No.111 of 2022,
E.P.No.90 of 2024 and Proclamation No.7 of 2025

23.07.2025



WEB COPY

