



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb Appln No. 458 of 2026

M/s.HDB Financial Services Limited

Having one of its branch office at

4th Floor, Loyal Towers, No.68/2,

Greens Road, Chennai 600 006

Rep. By its Authorised Signatory

Mr.P.Saravanan

..Applicant(s)

Vs

1.Santhosh G

2.Janaki G

..Respondent(s)

Prayer: To appoint a Receiver viz., Mr.K.Shenbhaga Raja, Area Collection Manager of the applicant to seize and deliver the Asset viz., "ASHOK LEYLAND-DOST STRONG LS" Commercial Vehicle bearing Registration No. TN-19-AQ-4183 and Engine No. MLH041054P and Chassis No. MB1AA22E2MRLJ7214 available at the respondents' premises or wherever found and permit the receiver Mr.K.Shenbhaga Raja, Area Collection Manager to obtain police aid and to break open and premises.

For Applicant(s) : Mr.M.Arunachalam

For Respondent(s) : No appearance

ORDER

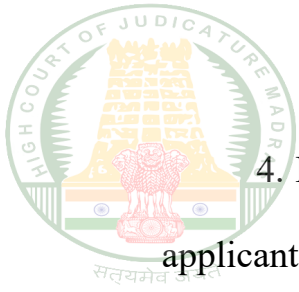
This application has been filed for an order of appointment of a Receiver to seize and deliver the vehicle viz., "ASHOK LEYLAND-DOST STRONG LS" Commercial Vehicle bearing Registration No. TN-19-AQ-4183 and Engine



No. MLH041054P and Chassis No. MB1AA22E2MRLJ7214 available at respondent's premises or wherever found and permit the Advocate Commissioner to obtain police aid and to break open the premises.

2. The learned counsel appearing for the applicant would submit that the applicant had provided a loan to the respondent for the purchase of the vehicle viz., "ASHOK LEYLAND-DOST STRONG LS" Commercial Vehicle bearing Registration No. TN-19-AQ-4183 and Engine No. MLH041054P and Chassis No. MB1AA22E2MRLJ7214 and also a Loan Agreement had also been entered by the respondent with the applicant on 28.01.2021. He would contend that there is some unremained installments that are to be made by the respondent and that in spite of repeated demands, the respondent had failed to regularize the default and had continued to not pay the EMIs. He would further submit that considering the facts of the case, the applicant had sought for an appointment of a party receiver which would be more effective.

3. In spite of notice 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*.

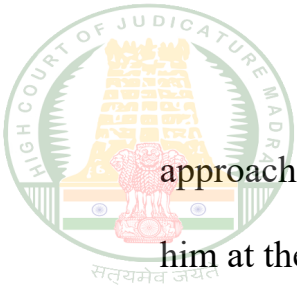


4. I have considered the submissions made by the learned counsel for the applicant and also perused the materials placed on record.

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5. This Court is of the view that the applicant has made out a *prima facie* case for appointment of a Party Receiver.

6. 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, Mr.K.Shenbhaga Raja, Area Collection Manager, is appointed as Party Receiver to seize and take possession of the vehicle viz., "ASHOK LEYLAND-DOST STRONG LS" Commercial Vehicle bearing Registration No. TN-19-AQ-4183 and Engine No. MLH041054P and Chassis No. MB1AA22E2MRLJ7214 from the respondent or any place belonging to the respondent or wherever found and with whomsoever it is found. It is also made clear that if police help is required, the Party Receiver shall make a request to the local police station within whose jurisdiction the vehicle is found and on such request being made, the Station House Officer shall send the Police Personnel along with the Party Receiver to seize the vehicle. If break open of a lock is required, the Party Receiver shall do so in the presence of the police personnel who will counter sign the record evidencing the break open of the lock and to re-lock the premises. If the Party Receiver finds any difficulty with the jurisdictional police, he is at liberty to



approach Superintendent of Police, who shall provide all necessary assistance to him at the time of seizure of the vehicle.

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7. If the respondent make good the unpaid installments or makes substantial payments of the dues to be paid to the satisfaction of the applicant, the applicant shall return the asset in the condition it was re-possessioned.

8. With the above terms, this application stands disposed of.

23-07-2026

Maya



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K.KUMARESH BABU, J.

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