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Arb Appln No. 516 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb Appln No. 516 of 2026

M/s.Sundaram Finance Ltd.
No.21, Pattulos Road
Chennai-600 002
Represented by its Authorised Signatory
Mr.S.Rajiv Bharathwaj

..Applicant(s)

Vs

1.M/s.Vel Crane Services
Represented by its Proprietor-Karthika V
No.2/110, JJ Nagar, Bhel Ancillary
Malaimedu, Mukundarayapuram
Vellore, Tamilnadu – 632 405.

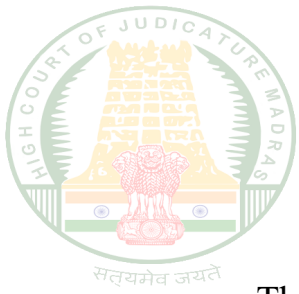
2.D.Parthiban
3.P.Dhanapal

..Respondent(s)

Prayer: To appoint a Receiver namely Mr.B.Prabhakaran, Senior Assistant General Manager currently employed in the Applicant to seize and deliver the vehicle viz., the Asset ACE HYDRAULIC MOBILE CRANE and Asset bearing identify Registration No. TN73-AJ2113, Engine No. S433-B44404 and Chassis No. ACE014XWHP0667810 or wherever found and permit the receiver namely Mr.B.Prabhakaran, Senior Assistant General Manager of the Applicant to obtain police aid and to break open the premises.

For Applicant(s): Mr.M.Arunachalam

For Respondent(s): No appearance

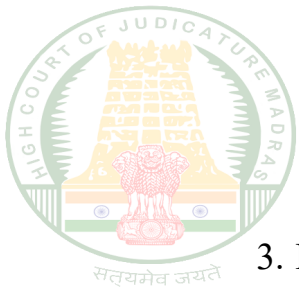


ORDER

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This application has been filed to appoint a Receiver namely Mr.B.Prabhakaran, Senior Assistant General Manager currently employed in the Applicant to seize and deliver the vehicle viz., the Asset ACE HYDRAULIC MOBILE CRANE and Asset bearing identify Registration No. TN73-AJ2113, Engine No. S433-B44404 and Chassis No. ACE014XWHP0667810 or wherever found and permit the receiver namely Mr.B.Prabhakaran, Senior Assistant General Manager of the Applicant 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., the Asset ACE HYDRAULIC MOBILE CRANE and Asset bearing identify Registration No. TN73-AJ2113, Engine No. S433-B44404 and Chassis No. ACE014XWHP0667810 and also a Loan Agreement had also been entered by the respondent with the applicant on 31.05.2023. 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. I have considered the submissions made by the learned counsel for the applicant and also perused the materials placed on record.

4. In spite of notice having been served on the respondents, the respondents had neither chosen to appear before this Court in person nor is being represented by a counsel. The name of the respondents have been reflected in the cause-list. They were called absent and set *ex parte*.

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.B.Prabhakaran, Senior Assistant General Manager, is appointed as Party Receiver to seize and take possession of the vehicle viz., the Asset ACE HYDRAULIC MOBILE CRANE and Asset bearing identify Registration No. TN73-AJ2113, Engine No. S433-B44404 and Chassis No. ACE014XWHP0667810 from the respondents or any place belonging to the respondents 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.

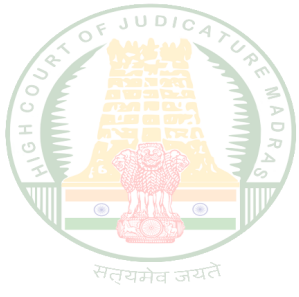
7. If the respondents make good the unpaid installments or make substantial payments of the dues to be paid to the satisfaction of the applicant, the applicant shall return the asset in the condition it was re-possessioned.

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

23-07-2026

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

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K.KUMARESH BABU, J.

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