



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1575 of 2025

TSR Films Private Limited
Rep.by its authorized signatory
Mr.D.Teddy Joshua, No 2, Old No
29 Lake Area, First Cross Street
Nungambakkam Chennai 600
034.

Applicant(s)

Vs

Shiva Theatre
Rep.by its Lessee, Sivaprakasam
Hariganesh, No.174/2/A
Vengamedu Pothanoor, P.Velur,
Namakkal 638 182.

Respondent(s)

PRAYER

Application filed under order XIV Rule 8 of OS Rules r/w Section 9(ii) (d) of the Arbitration and Conciliation Act, 1996, to pass an order appointing an Advocate Commissioner to visit the Respondents premises, theatres, auditorium, screens, projector room and any other premises of the Respondent along with local Police protection to break open if necessary and to seize and take custody of the Applicants equipment specifically described in the Schedule to the



Judges summons and hand them over to the Applicant pending final adjudication of the disputes between parties through Arbitration.

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For Applicant(s): Mr.Yashwanth Hariharan r
for M/s.D.R.Law Chambers
For -
Respondent(s):

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (in Short the Act) for appointment of the Advocate Commissioner to seize the equipments from the respondent and to hand over the same to the applicant.

2. After service of notice, the respondent was represented through a counsel and the learned counsel for respondent sought for time to file counter affidavit. The matter was adjourned twice on this ground. When the mater was taken up for hearing today, the learned counsel, who was appearing for the respondent submitted that he is withdrawing the vakalat filed on behalf of the respondent.

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



4. The case of the applicant is that they had agreed to provide equipments to the respondent in order to utilise the same in the Theatre. Accordingly, an agreement was entered into on 01.03.2019 for a period of 10 years. The applicant came to know that the respondent was sourcing content from third party entities for exhibition in theatre premises. Apart from that, the respondent had also de-installed equipments provided by the applicant without any prior notice.

5. In view of the above, there was breach of condition under the contract and hence, the applicant sent a legal notice dated 06.10.2025 to the respondent to hand over the equipments. However, there was no response from the respondent. The agreement between the parties contains an arbitration clause under clause 15. The applicant had also expressed their intention to invoke the arbitration proceedings. It is under these circumstances, the present application came to be filed before this Court for appointment of an Advocate Commissioner to visit the premises of the respondent and to take possession of the equipments and hand it over to the applicant.

6. In spite of repeated opportunities given to the respondent,



the respondent has not cared to give sufficient instructions to his counsel and has not contested this application. Hence, this Court is convinced that the applicant has made out a *prima facie* case and if the equipments remained unutilised, it will become a scrap and hence, the balance of convenience is also in favour of the applicant and if the equipments are not repossessed by the applicant, they will be put to irreparable loss and hardship.

7. In view of the above, Mr.D.Teddy Joshua, is appointed as the receiver and the receiver is permitted to seize the equipments from the respondent or wherever it is found and by breaking open the premises, if required with police assistance.

8. This Application is disposed of in the above terms. No costs.

04-02-2026

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