

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.11.2016

Coram

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

A.No.6034 of 2016
in A.No.3566 of 2016

M/s.Cholamandalam Investment and
Finance Company Limited,
'Dare House', No.2, NSC Bose Road,
Parrys, Chennai – 600 001,
represented by its Authorized Signatory .. Applicant

vs.

Mr.Shibu, P. .. Respondent

Prayer : Original Application has been filed under Order XIV, Rule 8 of the Original Side Rules read with Section 9(ii)(a)(b)(c) and (e) of the Arbitration and Conciliation Act, 1996 praying to change the Advocate Commissioner already appointed to seize and deliver the vehicle to applicant, which is morefully described in the schedule to the Judges Summons of A.No.3566 of 2016.

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For Applicant : Mr.N.Santhosh Nagarajan

For Respondent : NA

ORDER

1. The following substantive prayer is made in the application :

“.... to change the Advocate Commissioner already appointed to seize and deliver the vehicle to applicant, which is morefully described in the schedule to the Judges Summons of A.No.3566 of 2016.”

1.1. This application has been moved by the original applicant, i.e., Cholamandalam Investment and Finance Company Limited.

RAJIV SHAKDHER, J.

2. As would be evident from the prayer, a change in the Advocate Commissioner is sought, as the Advocate Commissioner appointed by this Court, vide order 27.07.2016, is not able to execute the commission, since she is in family way.

2.1. To be noted, Ms.S.Anusuya, was appointed as the Advocate Commissioner.

3. Accordingly, as prayed, Mr.T.Dharmarajan, Advocate (enrollment No.1883 of 2005, having office at New No.3, Old No.2, Bajanai Koil II Street, Choolaimedu, Chennai-600 094, is appointed as the Advocate Commissioner in the matter.

3.1. Incidentally, Mr.T.Dharmarajan, Advocate, is the husband of Ms.Anusuya.

4. Mr.T.Dharmarajan, says that the initial remuneration of Rs.15,000/- was paid to his wife Ms.Anusuya, and that, based on the remuneration received by her, he will execute the commission.

5. The captioned application is, thus, allowed, and as indicated above, Mr.T.Dharmarajan, Advocate Commissioner, shall execute the commission in terms of the directions contained in the order dated 27.07.2016.

17.11.2016

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