

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 01ST DAY OF SEPTEMBER 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A. No.3890 of 2017

In the matter of  
Arbitration & Conciliation  
Act, 1996

And

In the matter of Disputes  
between M/s.Cholamandalam  
Investment and Finance  
Company Ltd., and Mr.Akhil  
N Arising under Loan  
Agreement No. XSHUTVM00000  
969042 Dated 06.05.2013.

M/s. Cholamandalam Investment and Finance Company Limited  
"Dare House", No:2, N.S.C. Bose Road,  
Parrys, Chennai-600 001.  
Represented by its Authorised Signatory,

..Applicant

Vs.

Mr. Akhil N  
S/o. Nelson N  
No.3/550 (22/53), Konniyoor,  
Thadatharrikathu Puthen Veedu (Akhil Bhavan),  
Uriyakode, Travandrum, Near Post Office,  
Kerala 695543.

...Respondent

Application praying that this Hon'ble Court be pleased  
to appoint employee of the Applicant viz., Mr.Balagopal,  
Legal Executive, as Receiver to seize and take possession  
of the vehicle which is more fully described in the  
schedule to the judges summons which is lying in the  
custody of the respondent or his men, agents, servants from  
his premises or wherever found with Police aid and break  
open of premises of necessary.

This Application coming on this day before this court for hearing the court made the following order:

By order, dated 21.07.2017, this Court appointed Mr.Balagopal, Legal Executive of the applicant company as Receiver to seize and possess the vehicle in question.

2. Pursuant to the warrant of commission issued by this Court to seize the vehicle, it is today represented by the learned counsel appearing for the applicant that the vehicle has been re-possessed by the applicant. He would also confirm that proceedings for arbitration in connection with the transaction relating to the aforesaid asset have been concluded and an award has been passed favouring the applicant on 11.09.2015, which has, till date, not been challenged by the respondent. The statement is recorded.

3. Though the respondent has been served and his name appear in the cause list, none appears on his behalf.

4. In view of the above, nothing further survives in this application and the same stands closed. The parties are free to take such action, as they may desire hereafter, in accordance with law.

Sd/-A.S.M.J

01.09.2017

//Certified to be a true copy//

Dated this the      th day of                      2017.

EM/12.09.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.