

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 05TH DAY OF SEPTEMBER 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A. No.3941 of 2017

In the matter of
Arbitration & Conciliation
Act, 1996

And

In the matter of Disputes
between M/s. Chola mandalam
Investment and Finance
Company Ltd and Mr. Shanavas
A. Arising under Loan
Agreement No.
XVFPATT00000686222 Dated
31.12.2011.

M/s. Chola mandalam 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. Shanavas A.
S/o. Abdul Khadar
1/722, 6/694, Kakkattmelathil Veedu,
Pallikulla, Mudavoor, Chirayinkeezhu,
Pallikkal, Trivandrum, Kerala-695604.

: Respondent

Application praying that this Hon'ble Court be pleased to appoint employee of the Applicant viz. Mr. Jaison Joseph, 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 respondent or his men, agents, servants from his premises or wherever found with Police aid and break open of premises if necessary.

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

By order, dated 25.07.2017, this Court appointed one Mr.Jaison Joseph, Legal Executive of the applicant company to seize and possess the vehicle in question.

2.It is today represented by the learned counsel appearing for the applicant that pursuant to the said order, 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 24.06.2015, which has, till date, not been challenged by the respondent. The statement is recorded.

3. Though the respondent has been served and his name appears 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

05.09.2017

//Certified to be a true copy//

Dated this the th day of 2017.

EM/08.09.2017

COURT OFFICER

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