

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 25TH DAY OF OCTOBER 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A. No.4261 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.Siddeek
P Arising under Loan
Agreement No. XVFPAPY000009
23761 Dated 05.03.2013.

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. Siddeek P,
S/o. Pookuntu
Valiyaparambil, Eruva PO, Kayamkulam, Alappuzha,
Near Muhyudeen Pally, Karthikappally,
Kerala 690 502.

: Respondent

Application praying that this Hon'ble Court be pleased
to appoint employee of the Applicant viz., Mr. Prasanna B
T, 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 02.08.2017, this Court appointed Mr. Prasanna, BT, Legal Executive of the applicant company, as a 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 subject asset has been seized and handed over to the applicant company by the Receiver. He would also point out that arbitration proceedings have been initiated and are pending. The said 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 the above circumstances, nothing further survives in this application and the same stands closed. However, the vehicle shall not be alienated/altered/encumbered by the applicant during the pendency of the proceedings for arbitration without obtaining suitable directions in this regard from the Arbitrator. Needless to say, as and when an award is passed, the parties shall be at liberty to proceed as per law.

Sd/-A.S.M.j

25.10.2017

//Certified to be a true copy//

Dated this the th day of 2017.

EM/30.10.2017

COURT OFFICER

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