

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 18TH DAY OF JULY 2018

THE HON'BLE MRS. JUSTICE PUSHPA SATHYANARAYANA

A. No.6434 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 M/s. Sugesan Transport  
Private Limited arising under  
Loan Agreement  
No.X0CECHN00001464366 Dated  
31.07.2015

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.Sugesan Transport Private Limited,  
No.7,2nd Canal Cross Road  
Gandhi Nagar, Adyar,  
Chennai  
Tamil Nadu 600 020

...Respondent

Application praying that this Hon'ble Court be pleased to  
appoint employee of the Applicant viz., Mr.Gopal Area Legal  
Manager as receiver to seize and take possession of the  
Construction Equipment which is morefully described in the  
schedule to the Judges summons which is lying in the  
custody of respondent or its men, agents, servants from its  
premises or wherever found with Police aid and break open  
of premises if necessary.

This Application coming on this day before this court

<https://hcservices.ecourts.gov.in/hcservices/>

for hearing the court made the following order:

By order dated 09.07.2018, this Court had directed the respondent to surrender the vehicle, namely, Tadano Crane TL360FT-40 Ton, bearing Engine No.AN191879 and Chasis No.2179 and registered as TN-07-AQ-8485 to the applicant on or before 18.07.2018.

2. It is stated by the learned counsel for the applicant that moving the vehicle from the address given by the respondent is very expensive and seeks permission to sell the vehicle by the applicant on "As is where is" condition.

3. Mr.Nithyaesh Natraj, learned counsel appearing for the respondent also has got no objection, as he is only interested in getting the best price for the vehicle in discharge of the loan. Considering the above, the applicant is permitted to sell the vehicle, namely, Tadano Crane TL360FT-40 Ton, bearing Engine No.AN191879 and Chasis No.2179 and registered as TN-07-AQ-8485 in "As is where is" condition from the address given by the respondent.

4. Hence, nothing further survives in this application and the same stands closed.

Sd/-P.S.N.J  
18.07.2018

//Certified to be a true copy//  
Dated this the day of 2018.

KY/30.08.2018

COURT OFFICER

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