

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 09TH DAY OF JULY 2018

THE HON'BLE MRS. JUSTICE PUSHPA SATHYANARAYANA

A. No.7380 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.Shamnad A Arising under
Loan Agreement No.
XVFPTVM00001086587 Dated
29.11.2013.

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.Shamnad A,
S/o.M.A.Rasheed,
No.549A(6/274), Roadarikathu Veedu,
Mottakkavu, Panavoor,
Trivandrum, Near Attukal,
Kerala - 695541

: Respondent

Application praying that this Hon'ble Court be pleased
to appoint employee of the Applicant Viz. Mr.Hashim, ARM 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 22.11.2017, this Court appointed Mr.Hashim, ARM, 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 vehicle has been seized and handed over to the applicant company by the Receiver. 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 21.02.2018 in Arbitration Case No.ARC/CIFL/VL/376/17. The statement is recorded.

3. Notice to the respondent by way of paper publication was effected and affidavit of service was also filed to that effect. Though the name of the respondent is printed 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/-P.S.N.J
09.07.2018

//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