

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 12TH DAY OF FEBRUARY 2018

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

A. No.533 of 2018

In the matter of  
Arbitration & Conciliation  
Act, 1996

and

In the matter of Disputes  
between M/s.IndusInd Bank  
Limited and Sugesan  
Transport Pvt.Ltd arising  
under Loan Agreement  
No.TCC01440E dated  
25.06.2016

M/s. IndusInd Bank Ltd.,  
Rep.by its Manager-Legal  
P.Balavenkata Giri,  
having office at No.115 & 116  
G.N.Chetty Road, T.Nagar,  
Chennai 600 017

...Applicant

-vs-

Sugesan Transport Pvt.Ltd  
No.7, 2nd Canal Cross Road  
Gandhi Road, Adyar,  
Chennai 600 020

..Respondent

Application praying that this Hon'ble Court be  
pleased to pass an Order of appointment of an Order of  
appointment for Mr.Anil Tayal, Empl No.R02648, State head  
Commercial Products-Delhi, as Receiver to seize and  
deliver the KRUPP KMK8500 HEAVY CRANE bearing Chassis  
No.208602 Engine No.1299341 and registration No.NL02L1142  
to the custody of the applicant, available at the  
respondent's premises or where ever found and with  
whomsoever it is found and permit the Receiver Mr.Anil  
Tayal to obtain police aid and to break open the premises

This application coming on this day before this court for hearing in the presence of Ms.Meera Gnanasekar advocate for the Applicant herein, and upon reading the Judges Summons and the affidavit of P.Balavenkata Giri filed herein, it is ordered as follows:-

That a Warrant of Commission do issue herein out of and under the seal of this court that Mr.M.Gopikrishnan Advocate 464, New Additional Law Chambers, High Court Buildings, Chennai 104 (Mobile No.9840312093) be and is hereby appointed as an Advocate Commissioner and he is directed to seize the vehicle morefully setout in the schedule hereunder from the respondent or wherever found and hand over the same to the custody of the applicant and report shall be filed by the Advocate Commissioner on or before 12.03.2018

2.That the Advocate Commissioner appointed herein, shall be paid an initial remuneration of Rs.50,000/- (Rupees Fifty thousand only) .

3.That the Advocate Commissioner appointed herein if the assistance of police is required, the Advocate Commissioner shall make a request to the local police station within whose jurisdiction the vehicle is found and on such request being made, the Station House Officer shall send the Police Personnel along with the Advocate Commissioner to seize the vehicle.

4. That, if breaking open of a lock is required, the Advocate Commissioner shall do so in the presence of the police personnel who shall counter sign the record evidencing the breaking open of the lock and re locking of the premises and after seizure, the vehicle is to be handed over to the applicant or to their representative, after taking inventories

5. That the A.No.553 of 2018 be posted on 12.03.2018

**SCHEDULE**

KRUPP KMK8500 HEAVY CRANE bearing Chassis No.208602  
Engine No.1299341 and registration No.NL02L1142

WITNESS THE HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE,  
HIGH COURT AT MADRAS AFORESAID, THIS THE 12th DAY OF  
FEBRUARY 2018

sd  
ASSISTANT REGISTRAR (Comm.Cases)

//Certified to be true copy//

Dated at Madras this the        day of                    2018.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing  
certified copies of the Orders/Judgments/Decrees in this  
format.

R.s/20.02.2018

A.No.533 of 2018

ORDER

DATED :12.02.2018

THE HON'BLE MR.JUSTICE  
M.M.SUNDRESH

FOR APPROVAL:21/02/2018

APPROVED ON: 21/02/2018

Copy to:-

Mr.M.Gopikrishnan  
Advocate Commissioner,  
464, New Additional Law Chambers,  
High Court Buildings,  
Chennai 104  
(Mobile No.9840312093)

Correspondence to Note:-

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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MONDAY, THE 12TH DAY OF FEBRUARY 2018

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

A. No.533 of 2018

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between M/s.IndusInd Bank  
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...Applicant

-vs-

Sugesan Transport Pvt.Ltd  
No.7, 2nd Canal Cross Road  
Gandhi Road, Adyar,  
Chennai 600 020

..Respondent

To

Mr.M.Gopikrishnan  
Advocate Commissioner  
464, New Additional Law Chambers,  
High Court Buildings,  
Chennai 104  
(Mobile No.9840312093)

Application praying that this Hon'ble Court be  
pleased to pass an Order of appointment of an Order of  
appointment for Mr.Anil Tayal, Empl No.R02648, State head

Commercial Products-Delhi, as Receiver to size and deliver the KRUPP KMK8500 HEAVY CRANE bearing Chassis No.208602 Engine No.1299341 and registration No.NL02L1142 to the custody of the applicant, available at the respondent's premises or where ever found and with whomsoever it is found and permit the Receiver Mr.Anil Tayal to obtain police aid and to break open the premises

WHEREAS in and by an order dated 12.02.2018 made in A.No.533 of 20168 you have been appointed as a commissioner. and you are directed to seize the vehicle morefully setout in the schedule hereunder from the respondent or wherever found and hand over the same to the custody of the applicant and report shall be filed by you on or before 12.03.2018

You as a commissioner, are hereby informed that you shall be paid an initial remuneration of Rs.50,000/- (Rupees Fifty thousand only).

You as a Advocate Commissioner are hereby informed that if the assistance of police is required, you shall make a request to the local police station within whose jurisdiction the vehicle is found.

You as a Advocate Commissioner are hereby informed that on such request being made, the Station House Officer shall send the Police Personnel along with you to seize the vehicle.

You as a Advocate Commissioner are hereby informed that if breaking open of a lock is required, you shall do so in the presence of the police personnel who shall counter sign the record evidencing the breaking open of the lock and relocking of the premises and after seizure, the vehicle is to be handed over to the applicant or to their representative, after taking inventories

**SCHEDULE**

KRUPP KMK8500 HEAVY CRANE bearing Chassis No.208602  
Engine No.1299341 and registration No.NL02L1142

WITNESS THE HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE,  
HIGH COURT AT MADRAS AFORESAID, THIS THE 12th DAY OF  
FEBRUARY 2018

ASSISTANT REGISTRAR (COMM.CASES)

R.s/20.02.2018

A.No.533 of 2018

WARRANT OF COMMISSION

THE HON'BLE MR.JUSTICE  
M.M.SUNDRESH

Copy to:-

Mr.M.Gopikrishnan  
Advocate Commissioner  
464, New Additional Law Chambers,  
High Court Buildings,  
Chennai 104  
(Mobile No.9840312093)