

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

SATURDAY, THE 11TH DAY OF AUGUST 2018

THE HON'BLE MR. JUSTICE SARAVANAN

A. No.659 of 2018

In the matter of Arbitration & Conciliation Act, 1996

and

In the matter of aribitration Disputes between M/s. TATA CAPITAL FINANCIAL SERVICES LTD and Vijayakumar N and another under Loan Agreement No.7000254615 dated 09.10.2014

M/s. TATA CAPITAL FINANCIAL SERVICES LTD

By its Legal Manager,
Neela Pratap

Having its office at
1st Floor, Centennia Square,
6A-Dr.Ambedkar Salai,
Kodambakkam, Chennai 600 024

....Applicant

-vs-

1.N.Vijayakumar

S/o.Natrajan,

No.3/3, Kelathooval

Muthukulathur,

Ramanathapuram 623 712

2.V.Muthumari,

W/o.N.Vijayakumar

No.3/3, Kelathooval

Muthukulathur,

Ramanathapuram 623 712

...Respondents

Application praying that this Hon'ble Court be pleased to appoint Mr.Neela Pratap designated as Legal Manager as receiver to seize, take possession of the Caterpillar 424 model Excavator bearing Registration No.TN 65 U 2475, Engine No.4H32011420288 CHASSIS No.IMOP05140095 with all

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

By order, dated 30.01.2018, this Court appointed one Mr. Neela Pratap as 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 re-possessed on 18.07.2018 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 07.12.2015 in Arbitration Case.

3. Though the respondents are served with notice and their names are also printed in the cause list, there is no representation for them either in person or through counsel.

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.

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Sd/-C.S.N.J
11.08.2018

//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.