

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 9TH DAY OF APRIL 2019

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

A. No. 2327 of 2019

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of disputes
between M/s.IndusInd Bank
Limited and R.Venkatesh,
arising under Loan Agreement
No. TLL00267E, dated
30.11.2017.

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

... Applicant

-Versus-

R.Venkatesh
S/o. T.Ramachandran
LIG 177, Main Road,
Pothigainagar (PO)
Palayamkottai (TK)
Tirunelveli 627007.

... Respondent

Application praying that this Hon'ble Court be pleased
to pass an order of appointment of Mr.Prasanna P, IndusInd
Bank, CFD-Chennai, as receiver to seize and deliver the
Good Scary (Ashok Leyland Guru 1111 24FT), bearing Chassis
No.MB1AUPTC6HPYZ8039, Engine No. HYEZ205522 and TN 05 BR
0619 to the custody of the Applicant, available at the
respondent premises or wherever found and with whomsoever
it is found and permit the receiver Prasanna P to obtain
police aid and to break open the premises.

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

This application has been posted today under the caption "For Being Mentioned" at the instance of the learned counsel appearing for the applicant, who would submit that, in the affidavit in this application, the prayer sought for is for appointment of a company Receiver to seize and deliver the vehicle with different chassis number and engine number as well as model number, including the Registration number, whereas in the Judges summon, all together completely a different number has been given.

2. Based on the particulars given in the prayer sought for in the Judges summon, an Advocate Commissioner has been appointed by the order of this Court, dated 22.03.2019.

3. However today the learned counsel appearing for the applicant submits that, since based on the prayer sought for with the description of a wrong vehicle in the Judges summons, since order has been issued, she seeks permission of this Court to withdraw this application, of course on instructions and the learned counsel also wants to make an endorsement in the court bundle.

4. Recording the said submission made by the learned counsel appearing for the applicant and recording the endorsement made in the court bundle, this application is

dismissed as withdrawn with a liberty to file a fresh application, if they are advised to do so.

Sd./- R.S.K.J.

09.04.2019

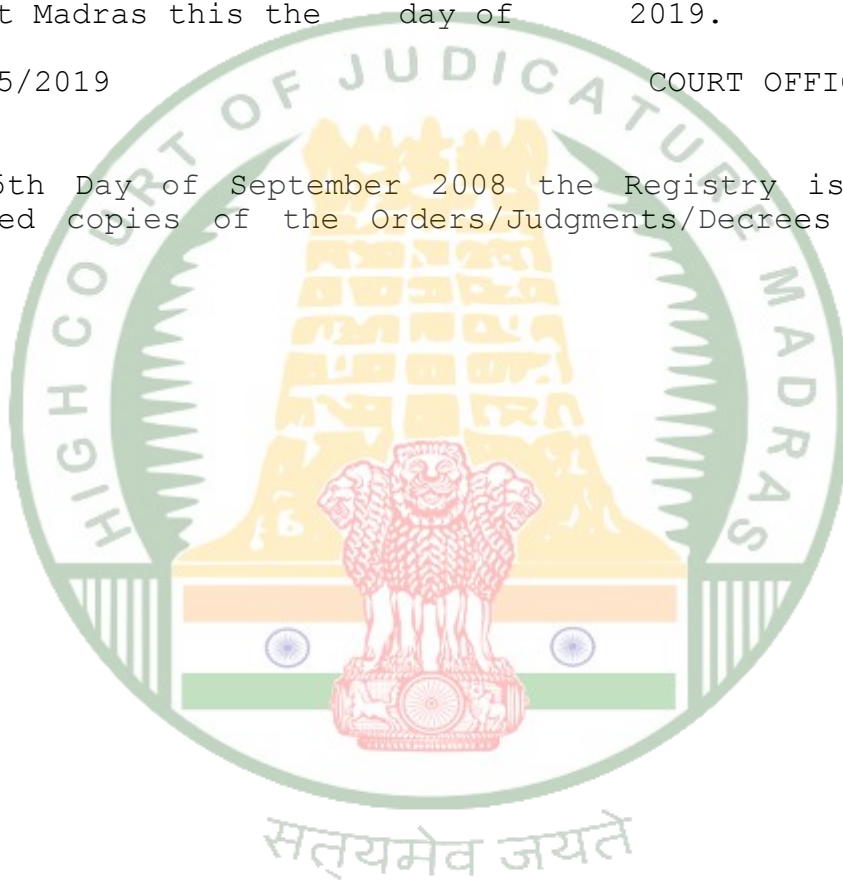
//Certified to be true copy//

Dated at Madras this the day of 2019.

TE/09/05/2019

COURT OFFICER(O.S.)

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



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