

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 28TH DAY OF NOVEMBER 2019

THE HON'BLE MRS. JUSTICE PUSHPA SATHYANARAYANA

A. No.6864 of 2019

In the matter of Arbitration & Conciliation Act, 1996

and

In the matter of Dispute between M/s.Cholamandalam Investment and Finance Company Limited and Mr.Babu Kuttan M.N.Arising under Loan Agreement No.XSHUPMA00001648725 Dated 31.03.2016.

M/S.CHOLAMANDALAM INVESTMENT AND FINANCE CO.LTD,  
Dare House, No.2, N.S.C.Bose Road,  
Parrys, Chennai-600001.  
Represented by its  
Authorised Signatory ..Applicant

-VS-

MR.BABU KUTTAN M.N  
S/O.NARAYANAN VC MODIYIL,  
EDAYARANMULAPOST, THURUTHIMALA ARANMULA,  
PATHANAMTHITTA,  
KERALA - 689 532 ..Respondent

Application praying that this Hon'ble Court be pleased to appoint employee of the Applicant viz, MR.AMJESH P, SENIOR LEGAL EXECUTIVE 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 respondents men, agents, servants from respondent 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/> the court made the following order:

By order dated 18.09.2019, this Court appointed

Mr.Amjesh,P., Senior Legal Executive, 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 re-possessed on 06.11.2019 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 07.02.2018.

3. Though the name of the respondent is printed in the cause list, there is no representation for him 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.

Sd/.P.S.N.J.

28.11.2019

//Certified to be a true copy//

Dated this the       day of       2019.

SU/19.12.2019

COURT OFFICER

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