

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY THE 12TH DAY OF APRIL 2019

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

A. Nos.7992,7994,7995 of 2018

A.No.7992 of 2018

In the matter of Arbitration
and Conciliation Act, 1996

And

In the matter of Arbitration
of the dispute between
Sundaram Finance Limited and
Mr.R.Vasantharaj Loan
Agreement No.K001601290 dated
10/02/2016

M/s.Sundaram Finance Limited
Rep by its Senior Manager (Legal)
Mr.S.Sornaraj
21, Patullos Road, Chennai 600 002

: Applicant

Vs.

Mr.R.Vasantharaj
No.1/257, Thasampalayam,
Semblanallur,
Avinashi, Tiruppur - 641 654

:Respondent

Application praying that this Hon'ble Court be
pleased to pass an order of appointment of an Advocate
Commissioner to seize and deliver the vehicles morefully
described in the schedule herein available at the
Respondent premises or wherever found and with whomsoever
it is found and entrust the custody of the same to the
Applicant, and permit the Advocate Commissioner to obtain
police aid and to break open the premises.

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M/s.Sundaram Finance Limited
Rep by its Senior Manager (Legal)
Mr.S.Sornaraj
21, Patullos Road, Chennai 600 002 : Applicant

Vs.

Mr.R.Vasantharaj
No.1/257, Thasampalayam,
Semblanallur,
Avinashi, Tiruppur - 641 654 :Respondent

Application praying that this Hon'ble Court be
pleased to pass an order of appointment of an Advocate
Commissioner to seize and deliver the vehicles morefully
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Respondent premises or wherever found and with whomsoever
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Applicant, and permit the Advocate Commissioner to obtain
police aid and to break open the premises.

A.No.7994 of 2018

In the matter of Arbitration
and Conciliation Act, 1996

And

In the matter of Arbitration
of the dispute between
Sundaram Finance Limited and
Mr.R.Vasantharaj Loan
Agreement No.K001601292 dated
10/02/2016

M/s.Sundaram Finance Limited
Rep by its Senior Manager (Legal)
Mr.S.Sornaraj
21, Patullos Road, Chennai 600 002 : Applicant

Vs.

Mr.R.Vasantharaj
No.1/257, Thasampalayam,
Semblanallur,
Avinashi, Tiruppur - 641 654 :Respondent

Application praying that this Hon'ble Court be pleased to pass an order of appointment of an Advocate Commissioner to seize and deliver the vehicles morefully described in the schedule herein available at the Respondent premises or wherever found and with whomsoever it is found and entrust the custody of the same to the Applicant, and permit the Advocate Commissioner to obtain police aid and to break open the premises.

A.No.7995 of 2018

In the matter of Arbitration
and Conciliation Act, 1996

And

In the matter of Arbitration
of the dispute between
Sundaram Finance Limited and
Mr.R.Vasantharaj Loan
Agreement No.K001601291 dated
10/02/2016

M/s.Sundaram Finance Limited
Rep by its Senior Manager (Legal)
Mr.S.Sornaraj
21, Patullos Road, Chennai 600 002 : Applicant

Mr.R.Vasantharaj
No.1/257, Thasampalayam,
Semblanallur,
Avinashi, Tiruppur - 641 654 : Respondent

Vs.

Application praying that this Hon'ble Court be pleased to pass an order of appointment of an Advocate Commissioner to seize and deliver the vehicles morefully described in the schedule herein available at the Respondent premises or wherever found and with whomsoever it is found and entrust the custody of the same to the Applicant, and permit the Advocate Commissioner to obtain police aid and to break open the premises.

The learned counsel appearing for the applicant in all these applications submitted that, there has been a settlement between the parties i.e, the applicant and the respondent under which, the respondent had come forward to settle the due payable to the applicant within a particular period, which has been fixed as one year.

2.In view of the said submission made by the learned counsel appearing for the applicant that the applicant is willing to withdraw all these applications, of course with the liberty to adjudicate the issue once again if the respondent has not honoured the agreement reached between the parties, recording the same and also the endorsement he has made in all these applications to withdraw these applications, all these applications are dismissed with the said liberty as sought for.

Sd./- R.S.K.J.
12.04.2019

//Certified to be true copy//

Dated at Madras this the day of 2019.

TE/15/05/2019

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COURT OFFICER(O.S.)

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