

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.5756 of 2019

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

P.Masanam,
S/o.Periyampillai,
No.195, North Street,
Naloor, Thiruchuli-626 607

...

Respondent

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(a)(b)(d)&(E) of the Arbitration and Conciliation Act, 1996, to pass an order of appointment of an Advocate Commissioner to seize and deliver the JCB 3DX BACKHOE Loader, bearing Chassis No.HAR3DXSSV02532231 Engine No.H00147704 and Registration No. TN67BX3955 to the custody of the Applicant, available at the respondent premises or wherever found and with whomsoever it is found and permit the Advocate Commissioner to obtain Police aid and to break open the premises.

For Applicant

: M/s.Meera Gnanasekar

ORDER

This application has been filed to pass an order of appointment of an Advocate Commissioner to seize and deliver the JCB 3DX BACKHOE Loader, bearing Chassis No.HAR3DXSSV02532231 Engine No.H00147704 and Registration No. TN67BX3955 to the custody of the Applicant, available at the respondent premises or wherever found and with whomsoever it is found and permit the Advocate Commissioner to obtain Police aid and to break open the premises.

2. This application is pending from the year 2019 and till date, the applicant is not able to bring any materials before this Court whether the proceedings for arbitration have been initiated or not.

3. In such view of the matter, this Court is of the view the application for interim measure cannot be kept pending endlessly and hence, this application stands closed.

Sd/.N.S.K.J.

03.09.2020

//Certified to be a true copy//

Dated this the th day of 2020.

su.22.10.2020

COURT OFFICER(O.S.)

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