

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.7030 of 2019

M/s.Daimler Financial Services
 India Private Limited,
 Rep. by its Authorised Signatory
 Unit 202, 2nd Floor, Campus 3B, RMZ Millennia Business Park,
 143, Dr.MGR Road, Perungudi,
 Chennai - 600 096. ... Applicant

versus

1.Sameeruddin C.
 No.101, Shoba Apartments Marshal Road,
 Egmore, Chennai-600 008

2.Zaitun Bee
 Shoba Apartments, 2nd Floor,
 Door No.6, Marshal Road,
 Egmore, Chennai-600 008 ... Respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(ii)(a)(b)&(e) of the Arbitration and Conciliation Act, 1996, to appoint the applicant's employee Mr.Kabali R, as Receiver to seize and take possession of the hypothecated car, which is more fully described in the Judges Summons schedule lying in the custody of respondents or his men, agents, servants from his premises or wherever found with Police assistance and by breaking open the premises, if necessary.

For Applicant : Mr.Anand Johnson

ORDER

This application has been filed to appoint the applicant's

employee Mr.Kabali R, as Receiver to seize and take possession of the

hypothecated car, which is more fully described in the Judges Summons schedule lying in the custody of respondents or his men, agents, servants from his premises or wherever found with Police assistance and breaking open the premises, if necessary.

2. Today, when the matter was called, the learned counsel appearing for the applicant submitted through video conferencing that already the award has been passed in its favour and notice sent to the first respondent was returned with an endorsement "unclaimed", notice sent to the second respondent was returned with an endorsement "insufficient address" and an affidavit of service is also filed to that effect. Though the names of the respondents are printed in the cause list, there is no representation for them either in person or through counsel.

3. In such view of the matter, it is open to the applicant to enforce the award as per law and hence, this application stands closed.

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Sd/.N.S.K.J.
09.09.2020

//Certified to be a true copy//

Dated this the th day of 2020.

su.29.10.2020

COURT OFFICER(O.S.)

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