

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.07.2020

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

A.No.8493 of 2018

M/s Cholamandalam Investment and
Finance Company Limite, Dare House,
No.2, NSC Bose Road, Parrys, Chennai 600 001.
Represented by its Authorised Signatory ... Applicant

Vs.

Mr.Manesh P. Kumar, S/o Kumaran,
No.9/382, Pulimoottil House,
Kaliyar, Vannappuram, Thodupuzha,
Near High School, Kerala 685 607 ... Respondent

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules r/w Section 9(ii) (a) (b) (c) (d) and (e) of the Arbitration and Conciliation Act, 1996 to appoint employee of the applicant viz. Mr.P.Saravanan, Legal Officer as receiver to seize and take possession of the vehicle, which is more fully described in the schedule, which is lying in the custody of respondent or his men, agents, servants from his premises or wherever found with police aid and break open of premises if necessary.

For Petitioner : Mr. N.Santhosh Nagarajan

For Respondents : Mr.Govind Chandrasekar

The learned counsel appearing for the respondent submitted that the matter has been settled for a sum of Rs.3,00,000/- and only Rs.2,25,000/- has to be paid to the applicant by the respondent and the same could not be paid, since the area of the respondent falls within the containment zone. He further submitted that as soon as the containment zone is lifted, he would settle the amount.

2. The above submission made by the learned counsel for the respondent is recorded.

3. As the matter is settled between the parties and the application is originally filed for appointment of receiver, this court is of the view that the petition shall be closed.

4. Accordingly, this petition is closed with liberty to the petitioner to revive the application, in the event of failure to pay the amount by the respondent, as agreed.

24.07.2020

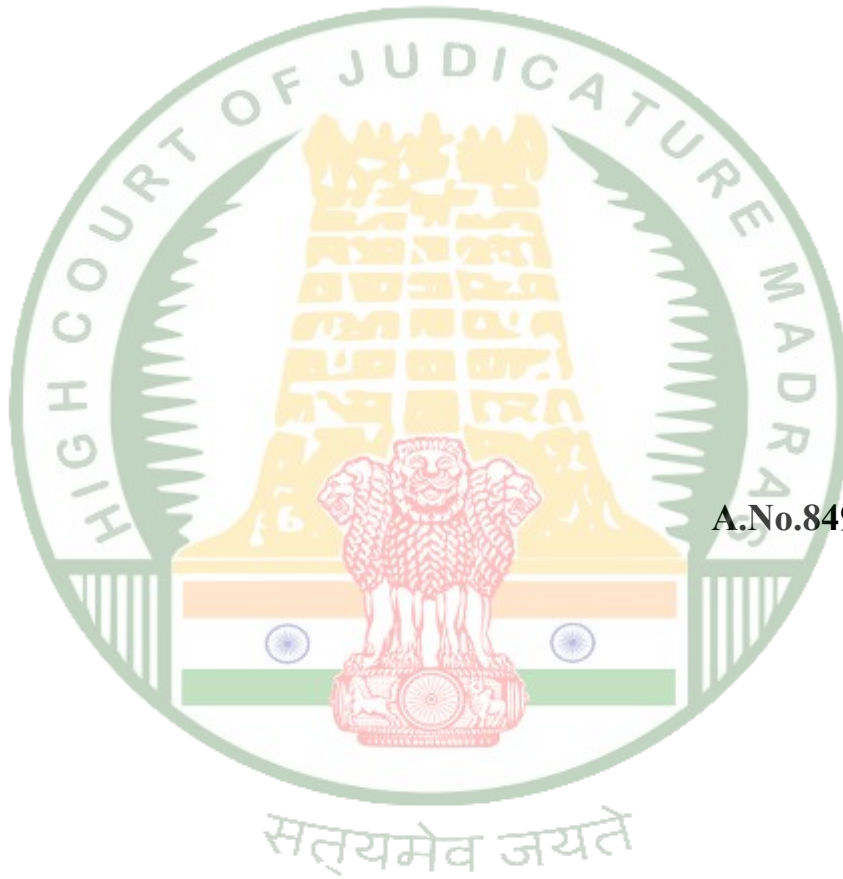
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N.SATHISH KUMAR, J.

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