

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 03.09.2020****CORAM :****THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR****Application No.9714 of 2018**

M/s.Shriram City Union Finance Limited,
having its registered office at
No.12, Ramsamy Street,
T.Nagar, Chennai - 600 017.
Rep. by its Authorised Signatory
Mrs. E.Ramya

...

Applicant

versus

1. Mr.D.N.AMARLAL
S/O.MR.D.R.NAGARAJAN
DOOR NO.15/16,
PITCHUPILLAI LANE,
3RD FLOOR.
MYLAPORE,
CHENNAI- 600 004

2. MR.K.ESWARI
W/O.KRISHNAMURTHY
DOOR NO.41/101,
ADAM STREET,
GROUND FLOOR,
MYLAPORE,
CHENNAI-600 004

Also at :

DOOR NO.1, KABALIESWARAR KOIL
NORTH MADA STREET,
MYLAPORE, CHENNAI-600 004

3. MR.V.KRISHNAMURTHY
S/O.MR.VENKAT NARAYANAN
DOOR NO.41/101,
ADAM STREET,
GROUND FLOOR,
MYLAPORE,
CHENNAI - 600 004.

...Respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(ii)(c)(d) & (e) of the Arbitration and Conciliation Act, 1996, to appoint a Receiver to administer the property of the second and third respondents more fully described in the Schedule to the Judge's Summons pending disposal of the Arbitration Proceeding and enforcement of the award.

For Applicant : No Appearance
For Respondents : Mr.B.Thilak Narayanan

ORDER

This application has been filed for appointment of Receiver to mortgage the property. The property is said to have been mortgaged in loan transaction as per the amount found in the application. As the respondents failed to pay the regular installments, this application came to be filed by the applicant.

2. This application is of the year 2018 and one of the main essential ingredients to get an interim order is the manifest intention on the part of the applicant to arbitrate the matter. Having filed such application

and not taking any steps to appoint arbitrator, interim order cannot be passed. At any event, the property has also secured, the question of appointing Receiver does not arise at all. Accordingly, no orders is required to be passed in this application and hence, the same stands dismissed.

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.

सत्यमेव जयते

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