

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 03.09.2020**

**CORAM :**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**Application No.9712 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*

Mr.Kulandai Velu,  
S/o.Mr.Karuppanan Achari,  
No.77, 8<sup>th</sup> Cross Street, 5 and P Garden,  
Nolambur, Maduravoyal,  
Chennai-600 095

..

Respondent

सत्यमेव जयते

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**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 respondent more fully described in the Schedule to the Judge's Summons pending disposal of the Arbitration Proceeding and enforcement of the award.

**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 respondent 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.

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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.