



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 15TH DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.821 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

And

In the matter of Disputes between
M/s.TVS Credit Services Ltd. and
Mrs. Srabani Om Arising under
Loan cum Hypothecation
Agreement Dated 31.12.2016
bearing Agreement No.
KO3078CA0000107.

M/s.TVS Credit Services Limited,
Jayalakshmi Estates,
New No.29, Old No.8,
Haddows Road, Chennai-600 006.
Represented by its Authorised Signatory

...Applicant

Versus

Mrs. Srabani Om,
W/o. Shubendu Om,
Dauniya, Debra,
West Midnapore, Kharagpur I,
Nr. Shyamchak Rly Station,
Balarampur B.O.,
West Bengal – 721301.

... Respondent

Application praying that this Hon'ble Court be pleased to appoint the
employee of the Applicant viz, Mr.Saroj Kumar Biswas, Territory Manager-

Collection as Receiver to seize and take possession of the Vehicle which is
more fully described in the schedule to the Judges Summons which is lying



in the custody of respondent or respondents men, agents, servants, from respondent premises or wherever found with Police aid and break open of premises if necessary.

This application coming on this day before this court for hearing in the presence of Mr.D. Pradeep Kumar, Advocate for the Applicant herein, and upon reading the judges summons and the affidavit of R.Vinesh Kumar, filed herein and the learned counsel for the applicant having submitted that the arbitration proceedings has already been initiated and the same is pending and he further submitted that the sole respondent died and he has to implead the legal representatives of the respondent and hence, prayed for the interim order. **and it is ordered as follows:-**

That the A.No. 821 of 2021 do stand closed.

2. That the Applicant herein shall be at liberty to file necessary application before the learned arbitrator for impleading the legal representatives of the respondent and proceed as per law.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
15TH DAY OF JUNE 2021.

Sd/-

ASSISTANT REGISTRAR (Comm. Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)



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08/07/2021

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A. No.821 of 2021

ORDER

DATED : 15.06.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 22/07/2021

APPROVED ON: 23/07/2021



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... Respondent

Application praying that this Hon'ble Court be pleased to appoint the



Collection as Receiver to seize and take possession of the Vehicle which is more fully described in the schedule to the Judges Summons which is lying in the custody of respondent or respondents men, agents, servants, from respondent premises or wherever found with Police aid and break open of premises if necessary.

This Application coming on this day before this court for hearing, the court made the following order:-

This application has been filed for appointment of a receiver to seize and take possession of the vehicle morefully described in the Judge's summons which is lying in the custody of the respondent.

2. When the matter was taken up today, the learned counsel appearing for the applicant submitted that arbitration proceedings has already been initiated and the same is pending. He further submitted that the sole respondent died and he has to implead the legal representatives of the respondent and hence, prayed for the interim order.

3. In such view of the matter, this Court is not inclined to pass any



before the learned arbitrator for impleading the legal representatives of the respondent and proceed as per law.

4. With the above observation, this application is closed.

Sd./-N.S.K.J.

15/06/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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