



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 19TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.1713 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of Disputes between
M/s.TVS Credit Services Limited and
Mr.Abhijit Pandurang Thanekar
Arising under Loan Cum
Hypothecation Agreement Dated
14.12.2017 bearing Agreement No.
MH3061CA0001579.

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

Mr.Abhijit Pandurang Thanekar,

S/o.Pandurang Thanekar,

C/o.Anand Tipugade,

858/1B, 1/1, Plot No.C2,

Nr.Shamkala Appt, Jyotirling Nagar,

Kalamba, Kolhapur, Karveer,

Back Side of Potdar High School,

Maharashtra-416 007.

... Respondent



employee of the Applicant viz, Mr. SUNIL VISHNU PATIL, TERRITORY COLLECTION MANAGER, 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 respondent's 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 Mrs. Shanthi G.K. filed herein, **it is ordered as follows:-**

That the A.No. 1713 of 2021 do stand closed.

2. That the Applicant herein shall be at liberty to approach the arbitrator for any interim relief under section 17 of the Arbitration and Conciliation Act after initiation of arbitration proceedings.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 19TH DAY OF JULY 2021.

Sd/-

ASSISTANT REGISTRAR (Comm. Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



WEB COPY EVK

05/08/2021

3

A. No.1713 of 2021

ORDER

DATED : 19.07.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 06/08/2021

APPROVED ON: 06/08/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 19TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.1713 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of Disputes between
M/s.TVS Credit Services Limited and
Mr.Abhijit Pandurang Thanekar
Arising under Loan Cum
Hypothecation Agreement Dated
14.12.2017 bearing Agreement No.
MH3061CA0001579.

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

Mr.Abhijit Pandurang Thanekar,

S/o.Pandurang Thanekar,

C/o.Anand Tipugade,

858/1B, 1/1, Plot No.C2,

Nr.Shamkala Appt, Jyotirling Nagar,

Kalamba, Kolhapur, Karveer,

Back Side of Potdar High School,

Maharashtra-416 007.

... Respondent

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



COLLECTION MANAGER, 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 respondent's 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 and the court made the following order:-

This application has been filed for appointment of a receiver to seize vehicle mentioned in the judges summons.

2. Today, when the matter is taken up for consideration, it is appears that notice itself has not been served to the respondent.

3. In such view of the matter, this Court is not inclined to grant any Order in this application and the applicant is at liberty approach the arbitrator for any relief under section 17 of the Arbitration and Conciliation Act after initiation of arbitration proceedings.

4. Accordingly, this application is closed.

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

19/07/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)