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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 1ST DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

Arb. Appln. 26 of 2021

in

A. No.297 of 2021

In the matter of Arbitration &
Conciliation Act, 1996

and

In the matter of disputes between
M/s.Fullerton India Credit
Company Ltd. and
Mr.Senthilkumar Ganesan arising
under Loan Agreement
No.453000110430842 Dated
25.02.2019.

M/s.Fullerton India Credit Co. Ltd. (FICCL),
Having its registered office at
Megh Towers, 3rd Floor, Old No.307,
New No.165, Poonamalle High Road,
Maduravoyal, Chennai – 600 095
Represented by its Authorized Signatory,
Mr.Karthick Chakkaravarthi.

... Applicant in
both the Applications

-Versus-

Mr.Senthilkumar Ganesan,
S/o.Ganesan,
No.T-2, Royal Fairmount Apartment,
39, V.N.Nagar, Karur Bye-Pass Road,
Thiruchirappalli,
Tamilnadu – 620 002.

... Respondent
in both the Applications



Application praying that this Hon'ble Court be pleased to pass an Order to sell the seized vehicle bearing Engine No.KHEZ403355 and Chassis No.MB1PREHD3KEHD0264 and Registration No.NL-01-B-1475.

This application coming on this day before this court for hearing in the presence of Mr.V.Balasubramani, Advocate for the Applicant herein, and the Respondent herein not appearing in person or by advocate and upon reading the Judge's Summons and the affidavit of Karthick Chakkaravarthi, filed herein, it is ordered:-

That the Applicant herein be and is hereby permitted to sell the seized vehicle bearing Engine No.KHEZ403355 and Chassis No.MB1PREHD3KEHD0264 and Registration No.NL-01-B-1475.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 1ST DAY OF SEPTEMBER 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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27/09/2021

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Arb. Appln. 26 of 2021
in
A. No.297 of 2021

ORDER

DATED : 01.09.2021

THE HON'BLE MR. JUSTICE
V.PARTHIBAN

FOR APPROVAL: 29/09/2021

APPROVED ON: 29/09/2021

Copy to:-

Mr.Karthick Chakkaravarthi,
Authorised Signatory and State
Collection Manager, Chennai
Receiver,
M/s.Fullerton India Credit Co. Ltd.
(FICCL),
Having its registered office at
Megh Towers, 3rd Floor, Old
No.307, New No.165, Poonamalle
High Road, Maduravoyal,
Chennai – 600 095.



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... Respondent
in both the Applications



Application praying that this Hon'ble Court be pleased to pass an Order to sell the seized vehicle bearing Engine No.KHEZ403355 and Chassis No.MB1PREHD3KEHD0264 and Registration No.NL-01-B-1475.

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

This application has been filed to pass an order to sell the seized vehicle bearing Engine No.KHEZ403355 and Chassis No.MB1PREHD3KEHD0264 and Registration No.NL 01 B 1475.

2. The application in A.No.297 of 2021 has been filed to appoint a receiver to take possession of the above mentioned vehicle. This Court *vide* order dated 04.02.2021, appointed Mr.Karthick Charkkaravarthi, Authorised Signatory and State Collection Manager of the applicant company as receiver to take possession of the said vehicle. The receiver appointed by this Court seized the vehicle on 19.03.2021, with the help of the police assistance and handed over the same to the applicant company.

3. According to the applicant, as per the order of this Court dated



was pending for filing objections of the respondent and it was also stated in the order dated 04.02.2021 that the applicant has to obtain appropriate order before this Court prior to the sale of the said vehicle till the disposal of the arbitration proceedings. Hence, the applicant is before this Court with the above prayer.

4. Despite notice being served on the respondent and his name being printed in cause list, there is no representation on behalf of the respondent.

5. This Court being satisfied with the averments stated in the affidavit filed in support of this application, the same is ordered as prayed for.

Sd./-V.P.N.J.

01/09/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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