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Arb.Appln.No.146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2025

CORAM :

The Hon'ble MR.JUSTICE ABDUL QUDDHOSE

Arb Appln No. 146 of 2025

M/s.Cholamandalam Investment and
Finance Company Limited, 'Chola Crest',
C 54 & 55, Super B-4, Thiru Vi Ka Industrial Estate,
Guindy, Chennai 600 032,
Rep. by its Authorised Signatory.

.. Applicant

Vs

M/s.Laxmi Tools
Rep. by its Proprietor Mrs.Sarika Raju Vaikkathattil
Gala No.5, Building No.A, Ground Floor,
Ghar No.64/Ka, Span Industrial Complex,
Silvassa Vapi Road, Dadra Nagar,
Haveli, Damn & Diu 396 230.

.. Respondent

For Applicant : Mr.D.Pradeep Kumar

ORDER

This application has been filed seeking for appointment of the applicant's own employee as a Receiver.

2. Though this Court had earlier appointed the applicant's own employee as a Receiver to repossess the equipment from the respondent, the said Receiver is yet to repossess the equipment.



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ABDUL QUDDHOSE,J.

3. The learned counsel for the applicant would submit that the equipment has not been located and only due to the said reason, the Receiver could not repossess the equipment.

4. I have already made it clear in my previous orders that the question of appointing the applicant's own employee as a Receiver for the purpose of repossessing the equipment from the respondent cannot be granted, since the said receiver will not be a neutral person.

5. No useful purpose will be served if this application is allowed to be kept pending. Therefore, this Application is closed. However, liberty is granted to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner to repossess the equipment from the respondent once the equipment is located.

19-03-2025

vsi

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