



Arb Appln No. 315 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09-04-2025**

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb Appln Nos. 315 & 316 of 2025

Arb.Appln.No.315 of 2025

M/s.HDB Financial Services Limited
Having one of its branch office at
4th Floor Loyal Towers No 68/ 2 Greams Road
Chennai 600 006
rep. by its Authorised Signatory
Mr.P.Saravanan

Applicant

Vs

1. Ramesh N
1 Vard Hitnal Koppal, Old Lingapur 583 234 Karnataka.
2. Hanumavva N.
Hitnal Koppal Koppal,
Old Lingapur-583234Karnataka

Respondents

Arb.Appln.No.316 of 2025

M/s.HDB Financial Services Limited
Having one of its branch office at
4th Floor Loyal Towers No 68/ 2 Greams Road
Chennai 600 006
rep. by its Authorised Signatory Mr.P.Saravanan

Applicant



Arb Appln No. 315 of 2025

Vs

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1. Ramesh N

1 Vard Hitnal Koppal, Old Lingapur 583 234 Karnataka.
Also at No.401, R.K.Enclave, NH 50,
Kote street, 1st Ward, Hitnal Village,
Kopal, Karnataka - 583234

2. Narasamma R,

W/o Ramesh,
59, 1 Ward Hitnal Koppal,
Old Lingapur - 583 234,
Karnataka

3. Hanumavva N.

Hitnal Koppal Koppal,
Old Lingapur-583234Karnataka

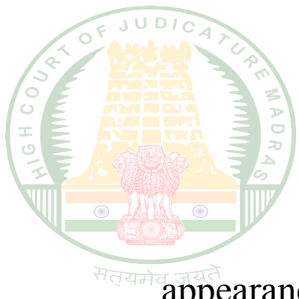
Respondents

For Applicant(s): Mr.M.Arunachalam

COMMON ORDER

The Advocate Commissioner appointed by this Court was able to repossess the vehicle from the respondent only with regard to Arb.Appln. No.315 of 2025. However, insofar as Arb.Appln.No.316 of 2025 is concerned, the applicant is unable to repossess the vehicle. A report to that effect has also been filed by the Advocate Commissioner.

2. Notice has been duly served on the respondents in both the applications. The same has also been recorded by this Court in its earlier order dated 12.03.2025. Despite service of notice, the respondents have not entered



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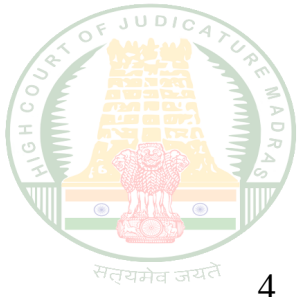
appearance in both the applications. Hence, they are set exparte by this Court.

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3. Since the vehicle which is the subject matter of arbitration in Arb.Appln.No.315 of 2025 has been repossessed and the respondents have been set exparte, nothing survives for further adjudication in Arb.Appln.No.315 of 2025. However, despite granting sufficient opportunity for the Advocate Commissioner to repossess the vehicle, which is the subject matter of Arb.Appln No.316 of 2025, the Advocate Commissioner is unable to repossess the vehicle, since the vehicle could not be located. Hence, Arb.Appln.No.316 of 2025 is also closed by granting liberty to the applicant to file a fresh application seeking for repossession of the vehicle through an Advocate Commissioner . Accordingly, both the Applications are closed. However, liberty is granted to the applicant to file a fresh application seeking to appoint an Advocate Commissioner to repossess the vehicle, which is the subject matter of Arb.Appln.No.316/2025 and when such an application is filed, this Court shall consider retaining the very same Advocate Commissioner who has been appointed in these applications, since the applicant had already paid the initial remuneration to the Advocate Commissioner in Arb.Appln.No.316/2025.

ABDUL QUDDHOSE,J.

vsi



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4. Since the Advocate Commissioner has repossessed the vehicle in respect of Arb.Appln.No.315/2025, the applicant is directed to pay an additional remuneration of Rs.15,000/- to the Advocate Commissioner within a period of two weeks from the date of receipt of a copy of this order.

vsi

09.04.2025

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