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Arb. Appln. No.434 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb. Appln. No.434 of 2025

M/s Hinduja Leyland Finance Limited
Represented by its Manager Legal
Mr.Sathish
Having its Corporate Office, No.27A,
Developed Industrial Estate,
Guindy, Chennai-600032
and its branch at No.480,
4th Floor, Khiviraj Complex,
Block-2, Nandanam, Chennai - 600 035.

...Applicant

Vs.

1.Mr.Sankar
2.Mrs.S.Manjula

...Respondents

PRAYER

To appoint an Advocate Commissioner to seize and deliver the Vehicle AL NE 2825 TIPPER Vehicle Reg.No.TN-61-X-1458, Chassis No.MB1H3VLD3NRCC4024 and Engine No.NCEZ702986 and the said vehicle is available at the Respondent's premises or wherever found and permit the advocate commissioner to obtain police aid and to break open the premises.



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For Applicant : Mr. A.Rajavel

For Respondents : Mr. Dhruv A Thaker
Advocate Commissioner

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ORDER

This Court, as early as on 12.03.2025, appointed an Advocate Commissioner to repossess the vehicle from the respondents or wherever available.

2. Thereafter, on 16.04.2025, a request was made by the learned counsel for the applicant, extension of time was granted for the Advocate Commissioner to execute the warrant of commission.

3. However, till date, the vehicle has not been repossessed by the Advocate Commissioner. Since according to the applicant, the vehicle could not be located, no useful purpose would be served, if this application is allowed to be kept pending.



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4. Accordingly, this application is closed by granting liberty to the

applicant to file a fresh application seeking for appointment of an Advocate Commissioner once the vehicle is located. While considering the fresh application, this Court shall consider retaining the very same Advocate Commissioner, who has been appointed in this application since the applicant has already paid the initial remuneration to the Advocate Commissioner.

10.06.2025

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ABDUL QUDDHOSE, J.

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