



Arb. Appln. No.289 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb. Appln. No.289 of 2024

Mahindra and Mahindra Financial Services Ltd.
Rep. by its Authorised Signatory
G. Srinivasan

Applicant

Vs

K. Manickaraja and two others

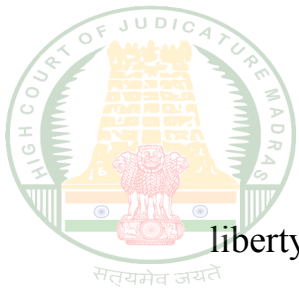
Respondents

For Applicant : Mr.M. Arunachalam

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Even though this Court appointed an Advocate Commissioner to repossess the vehicle as early as on 21.06.2024 itself, till date, the Advocate Commissioner has been unable to execute the Warrant, since the vehicle could not be located. An interim report has also been filed by the Advocate Commissioner stating that the vehicle could not be located.

2. No useful would be served, if this application is allowed to be kept pending when the Advocate Commissioner is unable to repossess the vehicle, despite this Court having passed an order as early as on 21.06.2024 itself. Accordingly, this application is closed. However,



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liberty is granted to the applicant to file a fresh application as and when it is possible for the Advocate Commissioner to repossess the vehicle from the respondent's premises or wherever it is available. While considering the fresh application, this Court will consider appointing the very same Advocate Commissioner, who was appointed earlier by this Court in this application. This Court shall also consider adjusting the initial remuneration paid to the Advocate Commissioner in this application, while considering the payment of remuneration to the Advocate Commissioner, when this Court decides the fresh application.

05.03.2025

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ABDUL QUDDHOSE, J.



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