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Arb Appln No. 403 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb Appln No. 403 of 2024

Tata Capital Ltd

By its Legal Manager D Kalai Arasan Having its
office at 1st Floor Centennial Square 6A Dr
Ambedkar Salai Kodambakkam Chennai 600 024

Appellant(s)

Vs

Sankar S and another

3/31, C, Kezha Street, Manakkudaiyan, Sendurai,
Near Water Tank, Ariyalur 621 719. By its Legal
Manager D Kalai Arasan Having its office at 1st
Floor Centennial Square 6A Dr Ambedkar Salai
Kodambakkam Chennai 600 024 and another

Respondent(s)

For Appellant(s): Mr..N.K.Vanan

For Respondent(s):

Mr. R. Murugan, Advocate Commissioner

ORDER

This Court, by its order dated 22.07.2024, appointed an Advocate Commissioner to repossess the vehicle from the respondent or wherever available. Till date, the Advocate Commissioner appointed by this Court is unable to repossess the vehicle. This Court had already granted extension of time on 28.08.2024, 26.09.2024, 24.10.2024, 12.12.2024 & 23.01.2025 to comply with the earlier order dated 22.07.2024.



ABDUL QUDDHOSE,J.

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2. The learned counsel for the applicant would submit that the vehicle has not been located and only due to the said reason, the Advocate Commissioner could not repossess the vehicle.

3. 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 vehicle from the respondent once the vehicle is located. Since the applicant had already paid the initial remuneration to the Advocate Commissioner, this Court shall consider retaining the very same Advocate Commissioner in the fresh application to be filed by the applicant once the vehicle is located.

06.03.2025

vsi

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