



ARB.APPLN.No.771 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

ARB.APPLN.No.771 of 2025

TATA Capital Limited,
By its Associate Legal Remedial,
R.Kamalakkannan,
Having its Office at
1st Floor, Centennial Square,
6A-Dr.Ambedkar Salai,
Kodambakkam,
Chennai-600 024.

Applicant

Vs.

Sri Amman Hydrolic & Welding Works,
62, Nehru Nagar SRT Corner,
Sathiyamangalam Atiyappampalayam,
Tamil Nadu Landmark Main Periyar Erode,
Pincode-638 402.

Respondent

Prayer: Arbitration Application filed under Order XIV Rule 8 of O.S Rules read with Section 9(ii)(b), (d) and (e) of Arbitration Act, 1996, to pass an order by appointing Advocate Commissioner to seize and deliver the asset Excavator TATA HITACHI CONSTRUCTION MACHINERY COMPANY PVT.LTD-CEQ ZAXIS 220 LC Engine Number THEDCRL0L00010197, Chasis No. THEDCRL0L00010197, situated at Sri Amman Hydrolic and Welding Works, No 62, NEHRU NAGAR SRT CORNER SATHYAMANGALAM



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ATIYAPPAMPALAYAM, COIMBATORE-638 402 or wherever it is found more fully described hereunder, with police aid or break open the premises from wherever found and handover the same to the applicant.

For Applicant : Mr.N.K.Vanan

For Respondents : Mr.Ma.Pa.Thangavel

ORDER

When the matter came up for hearing on 03.09.2025, this Court passed the following order:-

“Mr.R.M.D.Nasrullah, learned Advocate Commissioner has filed a memo. He further expressed that he suffered a fall recently and he is not in a position to move around freely. Therefore, the learned Advocate Commissioner sought for the withdrawal of the warrant.

2. The learned counsel for respondent submitted that the entire amount due and payable has been settled and what remains is only the instalment for the month of August 2025. That apart, the respondent also received the copy of the statement of claim from the Tribunal based on the arbitration proceedings initiated by the applicant.



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3. *The learned counsel for the applicant is directed to take instructions in this case.*

4. *Post this application for hearing on 10.09.2025.”*

2. Pursuant to the above order, the learned counsel appearing for the applicant has taken instructions and he submitted that what remains payable by the respondents is only one instalment for the month of August 2025.

3. In the light of the above development, no further orders are required to be passed in this application. Accordingly, the same is closed. There shall be no order as to costs.

16-09-2025

ssb

Index:Yes/No

Speaking order/Non-speaking order

NCC:Yes/No



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N.ANAND VENKATESH, J

ssb

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