



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

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CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 973 of 2025

1. Axis Bank Ltd
Rep. By its Deputy Manager
Selvaraj
No. 31, 2nd Floor, South Mada
Street, Mylapore, Chennai

Applicant(s)

Vs

1. Pasumarthi Kumudavalli
3-1-128/c, Mohan Road,
Khammam Gandhi Chowk
Khammam Urban Khammam
Telangana 507 003 India.

Respondent(s)

PRAYER

To appoint an Advocate Commissioner to take custody of the vehicle being HYUNDAI CAT BGRAND 110 NIOS 1.2 MT CORPORAT bearing Chassis No.MALB251CLLM118998L fitted with Engine No.G4LALM754825 and Registered as TS04FC6938 from the Respondent or wherever it is found and deliver it to the applicant with liberty to sell and to permit the advocate Commissioner to obtain Police aid and to break open the premises within which the said vehicle is lying.



For Applicant(s): M/s.Uma Vijayan M.R.
For Ms. S. Santhi Babu,
Respondent(s): Advocate Commissioner
Court Notice Await Services

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 for appointment of an Advocate Commissioner for seizing the vehicle in the custody of the respondent, if necessary, with police protection and by breaking open the premises.

2. When the application came up for hearing on 21.07.2025, this Court issued notice to the respondent.

3. The private notice sent to the respondent has been returned with an endorsement “left” and affidavit of service has also been filed. As the notice has been sent to the address given in the agreement, there is deemed service on the respondent and the respondent is neither present nor represented through counsel. Hence, the apprehension raised on the side of the applicant that the respondent is trying to secret the construction equipment is *prima*



facie established.

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4. In view of the above, Mr.Dileep Thondapu, Manager is appointed as the Court receiver and the Court receiver is permitted to seize the vehicle from the respondent or wherever it is found and by breaking open the premises, if required with police assistance.

5. This application stands disposed of in the above terms.

28-10-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

WEB

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N.ANAND VENKATESH J.
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