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Arb Appln No. 1083 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1083 of 2025

1. Axis Bank Ltd
No. 31, 2nd Floor, South Mada
Street, Mylapore, Chennai

Applicant(s)

Vs

1. Reeja Roy
Panthalooparambil
Palakottuvayal Kozhikode,
Kottamparamba Calicut Kerala
673 008 India.

Respondent(s)

PRAYER

To appoint an Advocate Commissioner to take custody of the vehicle being HONDA CAT C V bearing Chassis No.MAKDG573KP4001393 fitted with Engine No.L15ZD2211104 and Registered as KL11CA8687 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 Mr. Arun Pradeesh K,
Respondent(s): Advocate Commissioner
Court Notice Sole



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Respondent Unserved

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 07.08.2025, 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.



4. In view of the above, Mr.Praveen K, Assistant Vice President, 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

rka

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

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Panthalooparambil
Palakottuvayal Kozhikode,
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N.ANAND VENKATESH J.
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