



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1176 of 2025

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

Applicant(s)

Vs

1. Mohan D
C/o. Devarajan K.D.No.24
Vellaparai, Tiruch Engode,
Namakkal Tamil Nadu 637 209
India.

Respondent(s)

PRAYER

To appoint an Advocate Commissioner to take custody of the Vehicle being MAHINDRA CAT C B6 bearing Chassis No.MA1XL2TVXR6H32628, fitted with Engine No.TVR6H98485 and Registered as TN34AJ4989 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 Appellant(s): M/s.Uma Vijayan M.R.
For Mr. M. Sathish Kumar
Respondent(s): Advocate Commissioner



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 25.08.2025, 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.Nakkiran, Deputy 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.

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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

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C/o. Devarajan K.D.No.24

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N.ANAND VENKATESH J.
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