



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. 1188 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. Syam Kumar S
Prayag Ambipoika Elampalloor
Prayag Ambipoika Elampalloor,
Kollam Kerala 691 501 India.

Respondent(s)

PRAYER

To appoint an Advocate Commissioner to take custody of the Vehicle being HYUNDAI CAT C CRETA 1.5 CRDI bearing Chassis No.MALPA813LNM369245, fitted with Engine No.D4FANM633162 and Registered as KL02BS0058 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. P. Anurekha, Advocate
Respondent(s): Commissioner



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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 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 a 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.Jithin J, 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

rka

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

To

1.Syam Kumar S
Prayag Ambipoika Elampalloor
Prayag Ambipoika Elampalloor,
Kollam Kerala 691 501 India.



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N.ANAND VENKATESH J.
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