



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1293 of 2025

M/s. Kotak Mahindra Prime Ltd.,
rep.by its Deputy Manager
Mr.S.Santhosh Kumar
No.402 L Samson Towers, 7th Floor,
A-Wing, Pantheon Road, Egmore
Chennai 600 008

Applicant

Vs

Ramesh Vittal
No.1 B 5th Block
Jain Sundarbans Apartment
Guruswami Street, Nolambur
Chennai 600 095

Respondent

PRAYER

To pass an order appointing Advocate Commissioner to seize, take possession of the seized asset and deliver the Asset being Volkswagon-VW TIGUAN 2.OL TSI ELEGANCE bearing Chassis No: WVGH235N9PA001540 fitted with Engine No: DNN188979 Registered as – TN12BB4743 with all accessories fitted to the asset from the respondent or wherever it is found and deliver it to the applicant with Police aid and to break open the premises within which the said vehicle is lying.

For Applicant:: Mr.M.Ajmal Azzath

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 for appointment of an Advocate Commissioner to seize



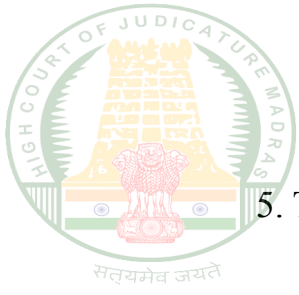
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the subject vehicle in the custody of the respondent or wherever found, if necessary, with police protection and by breaking open the premises and deliver the same to the applicant.

2. When the matter came up for hearing on 10.09.2025, this Court, on carefully going through the averments made in the affidavit filed in support of the application, thought it fit to order notice to the respondent to ascertain as to whether the respondent will be willing to settle the dispute.

3. When the matter was taken up for hearing today, affidavit of service has been filed and it is seen that the notice sent to the respondent has been returned with an endorsement "left". It is clear from the above that the respondent is evading service, since the notice that was sent to the address found in the agreement, has been returned. The whereabouts of the vehicle is also not known. Hence the apprehension of the applicant that the respondent is attempting to secret the vehicle is prima facie established.

4. In view of the above, Mr.M.Muthuvel Raja, Manager-Kotak Mahindra Prime Limited, Mobile No.99412 99905 is appointed as Receiver for seizing the subject vehicle from the respondent or wherever it is found and by breaking open the premises, if required, with police aid.



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

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To

Mr.Ramesh Vittal
No.1 B 5th Block
Jain Sundarbans Apartment
Guruswami Street, Nolambur
Chennai 600 095



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**N.ANAND
VENKATESH J.**

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