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Arb. Appln. No.7 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb. Appln. No.7 of 2025

TATA CAPITAL LTD.

By its Legal Manager,

D. Kalaiarasan

.... Applicant

vs.

Abdul Gafoor A S

Kakkattummal Poonoor Unnikulam,

Landmark- Desiya Ayurveda Pharmacy,

Kozhikode, Kerala.

673 574.

.... Respondent

For Applicant

: Ms.M. Usha Nandini

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Earlier, this Court had appointed the applicant's own employee as a Court receiver to execute the warrant of commission.

2. The learned counsel for the applicant would now submit that the vehicle, which is the subject matter of this application is not traceable and therefore, the warrant of commission could not be executed.



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WEB COPY 3. In view of the said fact, no useful purpose would be served, if this application is allowed to be kept pending. Accordingly, this application is disposed of, by granting liberty to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner to repossess the vehicle, which is the subject matter of this application, as and when the vehicle is traceable.

03.02.2025

vsi2



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ABDUL QUDDHOSE, J.

vsi2

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03.02.2025