



WEB COPY

Arb Appln No. 1437 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

Arb Appln No. 1437 of 2025

IndusInd Bank Ltd

Rep. by its Authorised Representative

Mr.I.J.Vasantha Rooban Abishek

Having its Consumer Finance Division at No.34,
G.N.Chetty Road,T.Nagar, Chennai - 600 017

Applicant

Vs

1.Manjunath S K

2.Mallikarjuna S K

Respondents

PRAYER

To pass an order for appointment of an receiver namely Mr.Anto Joseph, Chief Manager, Employee No.R32818 to seize and deliver the vehicle of the make Ashok Leyland Ltd. Bus LS1309 4D4R 4900MM BS4 Engine No.JXEZ437136 Chassis No.MB1PAECD8JAWJ7755 bearing Registration No.KA17D5744, to the custody of the Applicant, available at the Respondents premises or wherever found and with whomsoever it is found and permit the receiver to obtain police aid and to break open the premises.

For Applicant : Mr.K.Moorthy

ORDER



This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, for appointment of a Receiver to seize the subject vehicle in the custody of the respondents or wherever found, if necessary, with police protection and by breaking open the premises and deliver the same to the applicant.

N. ANAND VENKATESH, J.

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2. When the application came up for hearing on 07.11.2025, 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 respondents to ascertain as to whether the respondents 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 private notices sent to the respondents have been returned with an endorsement “addressee left without instructions”. It is clear from the above that the respondents are evading service, since the notices that were sent to the address found in the agreement, have been returned. The whereabouts of the vehicle is also not known. Hence, the apprehension of the applicant that the respondents are attempting to secret the vehicle is *prima facie* established.



4. In view of the above, Mr. Anto Joseph, Chief Manager, is appointed as Receiver for seizing the vehicle from the respondents or wherever it is found and by breaking open the premises, if required, with police aid.

This application is disposed of in the above terms.

08.12.2025

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