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Arbitration Application No.1468 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.1468 of 2025

Tata Capital Limited,
By its Associate Legal Remedial,
R.Kamalakkannan
Having its office at
1st Floor, Centennial Square,
6A-Dr.Ambedkar Salai,
Kodambakkam, Chennai – 600 024. Applicant

Vs.

Raju Govindu Metal Suppliers
No.2, Mallampeta Village,
Kotananduru Santha Pydipala,
Kakinada, West Godavari – 533 446,
Andhra Pradesh. Respondent

Arbitration Application under Order XIV Rule 8 of Original Side Rules r/w Section 9 (ii) (b) (d) & (e) of the Arbitration and Conciliation Act, 1996, praying to appoint Mr.Vijay Kumar Obulapuram, employed as employee currently designated as Legal and Remedial in the Applicant Company having his office 3rd Floor, Punnaiah and Vajramma Complex, # 59-6-17, Kanchukotavari Street, Ramachandra Nagar, Polytechnic Post, Vijayawada 520 008 as Receiver to seize and deliver the asset SY 210C 9 Construction Equipment bearing Engine No.22SY210C001055 Chassis No.22SY210C001055 situated at No.2, Mallampeta Village, Kotananduru Santha Pydipala, Kakinada, West



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Godavari 533 446, Andhra Pradesh..or wherever it is found more fully described hereunder with police aid or break open the premises from wherever it is found and handover the same to the applicant.

For Applicant : Mr.N.K.Vanan

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] for appointment of a receiver to seize and deliver the construction equipment to the applicant, if required, with police aid.

2. The petitioner extended financial facilities to the respondent. Since the respondent committed default, a recall notice dated 06.02.2024 was issued and in spite of receipt of the same, there was no response from respondent. It is under these circumstances, the present petition came to be filed before this Court.

3. When the application came up for hearing on 17.11.2025, this Court issued notice to respondent.

4. The private notice sent to the respondent has been returned



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with an endorsement “Refused”. 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.

5. In view of the above, Mr.Vijay Kumar Obulapuram, Legal and Remedial, is appointed as the Court receiver and the Court receiver is permitted to seize the construction equipment from the respondent or wherever it is found and by breaking open the premises, if required with police assistance.

This application stands disposed of in the above terms.

15.12.2025

gm

N.ANAND VENKATESH, J.

gm



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