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Arbitration Application No.1480 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.1480 of 2025

M/s.Cholamandalam Investment and
Finance Company Limited,
'Chola Crest', C 54 & 55, Super B-4,
Thiru Vi ka Industrial Estate,
Guindy, Chennai – 600 032.
represented by its Authorised Signatory Applicant

Vs.

Chandrakant Anna Rote
S/o.Anna Bala Rote Respondent

Arbitration Application under Order XIV Rule 8 of Original Side Rules r/w Section 9 (1) (ii) (a) (b) (d) & (e) of the Arbitration and Conciliation Act, 1996, praying to appoint employee of the applicant viz., Mr.Pranavkumar Narsinha Kulkarni, Legal Executive, as receiver to seize and take possession of the vehicle which is morefully described in the schedule to the Judges Summons which is lying in the custody of respondent and respondent's men, agents, servants from respondent premises or wherever found with police aid and break open of premises, if necessary.

For Applicant : Mr.D.Pradeep Kumar

ORDER



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This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, for appointment of a receiver to seize the vehicle in the custody of the respondent, if necessary, with police protection and by breaking open the premises.

2. The respondent availed financial facilities from the applicant and they entered into an agreement on 31.12.2018. The total agreement value is Rs.4,75,566/-, which is payable in 52 monthly instalments starting from 28.01.2019 ending with 28.04.2023. As on 04.11.2025, a sum of Rs.2,99,855/- is payable by the respondent. Since the respondent did not repay the amount, arbitration proceedings were initiated and due to objection of unilateral appointment, the arbitration proceedings were withdrawn.

3. The specific case of the applicant is that the applicant is also not able to take possession of the vehicle. It is under these circumstances, the present application has been filed before this Court.

4. When the application came up for hearing on 17.11.2025,



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this Court issued notice to the respondent.

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5. Notice has been served on the respondent and affidavit of service has also been filed. The name of the respondent is also printed in the cause list. However, there is no appearance either in person or through a counsel.

6. In view of the above, Mr.Pranavkumar Narsinha Kulkarni, Legal Executive, 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.

This application stands disposed of in the above terms.

15.12.2025

gm

N.ANAND VENKATESH, J.



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