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Arbitration Application No.1502 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.1502 of 2025

M/s.HDB Financial Services Limited

Having one of its branch office at:

th
4 Floor, Loyal Towers, No.68/2,
Greams Road, Chennai – 600 006.

represented by its Authorised Signatory,
Mr.P.Saravanan

.... Applicant

Vs.

1. Dalapathi Constructions

Rep.by its Managing Partner,
D.No.8-1201/1 Katuru Road,
Vuyyuru Krishna,
Andhra Pradesh 521 165.

2.Venkata Nagaraju Dalapatirao

3.Damodararaju Dalapatirao

... Respondents

Arbitration Application under Order XIV Rule 8 of Original Side Rules r/w Section 9 (ii) (d) & (e) of the Arbitration and Conciliation Act, 1996, praying to appoint a receiver namely Mr.Malla Chandrasekar, Area Collection Manager of the Applicant to seize and deliver the Asset “TATA SIGNA 2823.K 7 CUM TM” Construction Equipment bearing



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Registration No.AP-39-UP-2131 and Engine No.B5.
6B6A220D06132B63926079 and Chassis No.MAT797066P2C06367

available at the respondents' premises or wherever found and permit the receiver Mr.Malla Chandrasekhar, Area Collection Manager to obtain police aid and to break open the premises.

For Applicant : Mr.M.Arunachalam

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 applicant extended financial facilities to the respondents. Since the respondents committed default, a recall notice dated 27.09.2024 was issued and in spite of receipt of the same, there was no response from respondents. It is under these circumstances, the present petition came to be filed before this Court.

3. When the application came up for hearing on 19.11.2025, this Court issued notice to respondents.



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4. Private notice has been served on the respondents and affidavit of service has also been filed. The names of respondents have also been printed in the cause list. However, the respondents are neither present nor represented through counsel. Hence, the apprehension raised on the side of the applicant that the respondents are trying to secret the Construction Equipment is *prima facie* established.

5. In view of the above, Mr.Malla Chandrasekar, Area Collection Manager, is appointed as the Court receiver and the Court receiver is permitted to seize the Construction Equipment from the respondents 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

NCC:Yes/No
gm

N.ANAND VENKATESH, J.



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