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Arbitration Application No.1529 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.1529 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

Yuvaraj M

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.Kamalakkannan, currently designated as Associate Legal Remedial, in the Applicant company having his office First Floor, Centennial Square, Dr.Ambedkar Salai, Kodambakkam, Chennai, Tamil Nadu 600 024 as Receiver to seize and deliver the Asset Excavator HD Hyundai Construction Equipment India Pvt Ltd CEQ bearing Engine No.4H27452420170 Chassis No.HYNDQ4061HE0063210, Reg.No.NA situated at 560 Matheashwaran Kovil Road, Varathampaliyam Rural, Sathyamangalam,



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Erode Itself Periyar, Tamil Nadu or wherever it is found more fully described hereunder with police aid or break open the premises from wherever 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 vehicle to the applicant, if required, with police aid.

2. The applicant extended financial facilities to the respondent. Since the respondent committed default, a recall notice dated 04.07.2025 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 21.11.2025, this Court issued notice to respondent.

4. Private notice has been served on the respondent and affidavit of service has also been filed. The name of respondent has also been printed



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in the cause list. However, 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 vehicle is *prima facie* established.

5. In view of the above, Mr.Kamalakkannan, Associate Legal Remedial, 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

NCC:Yes/No
gm



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N.ANAND VENKATESH, J.

gm

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