



Arbitration Application No.59 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.59 of 2026

M/s.HDB Financial Services Limited

Having one of its branch office at:

4th Floor, Loyal Towers, No.68/2,

Greams Road, Chennai – 600 006.

represented by its Authorised Signatory

Mr.P.Saravanan

.... Applicant

Vs.

1.Pitchaikannu.S

2.Thayammal.P

3.Subbaiah.G

4.Nambirajan.V

.... 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.P.Selvam, Collection Manager, to seize and deliver the asset “TATA PRIMA 3530” Construction Equipment Registration No.TN72DZ4232, Engine No.B6.7B62300D03142D64374670 and Chassis No.MAT714302R3D09896 available at the respondents’ premises or wherever found and permit the receiver Mr.P.Selvam, 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 appointment of receiver for seizing the construction equipment in the custody of the respondents, if necessary, with police protection and by breaking open the premises.



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N.ANAND VENKATESH, J.

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2. When the application came up for hearing on 23.01.2026, this Court issued notice to the respondents.

3. Private notice has been served on respondents 3 and 4. Private notice sent to the respondents 1 and 2 has been returned with an endorsement “refused” and affidavit of service has also been filed. As the notice has been sent to the address given in the agreement, there is a deemed service on the respondents 1 and 2. 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.

4. In view of the above, Mr.P.Selvam, 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.

23.02.2026

Index:yes/no

Speaking order/Non-speaking order

NCC:yes/no

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