



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

Arb. Application No.109 of 2026

M/s. Chola mandalam Investment and
Finance Co. Ltd.,
Chola Crest, C 54 & 55, Super B-4,
Thiru Vi Ka Industrial Estate, Guindy, Chennai-32
Represented by its Authorised Signatory.

..Applicant

Vs

Mr.Akbar Shifan K.
S/o.Kunheethu Kongadan, Kongadan Veedu,
Pulivetty Panga PO Masjid, Perintalmanna,
Malappuram, Kerala 679 338.

..Respondent

Prayer : Application is filed under Order XIV Rule 8 of the Original Side Rules Read With Section 9(1)(ii)(a)(b)(d) & (e) of the Arbitration and Conciliation Act, 1996, to appoint employee of the applicant viz. Mr. Sabu K, Area Legal Manager, as Receiver to seize and take possession of the vehicle which is more fully described in the schedule to the Judge's summons which is lying in the custody of respondent or 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



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SENTHILKUMAR RAMAMOORTHY, J.

KJ

ORDER

The applicant is a non-banking financial company, which had extended credit facilities to the respondent for purposes of purchasing a vehicle. Upon default in servicing loan obligations, the applicant has applied to this Court for interim relief by way of appointment of an employee of the applicant as receiver to seize and take possession of the vehicle. The applicant has also issued notice under Section 21 of the Arbitration and Conciliation Act, 1996.

2. In spite of notice being served on the respondent, the respondent has failed to enter appearance and contest the matter. Therefore, Mr. Sabu K., Area Legal Manager, is appointed as receiver to seize and take possession of the vehicle described in the schedule to the Judge's summons. If necessary, it is open to the receiver to seek and obtain police protection, including in relation to breaking open the premises of the respondent. Any further action for sale of the vehicle should be taken only after obtaining necessary orders from the arbitral tribunal.

3. The application is disposed of on the above terms.

KJ

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