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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1443 of 2025

Axis Bank Ltd
Rep. by its Deputy Manager Selvaraj
No. 31, 2nd Floor, South Mada Street
Mylapore, Chennai

Applicant(s)

Vs

Vajus P K

Respondent(s)

PRAYER

To appoint an Advocate Commissioner to take custody of the vehicle being KIA MOTORS CAT CKIA SONET HTK PLUS 1.5 DSL bearing Chassis No.MZBFB813LNN243706 fitted with Engine No.D4FANM724206 and Registered as KL11BX4212, from the Respondent or wherever it is found and deliver it to the applicant with liberty to sell and to permit the Advocate Commissioner to obtain Police aid and to break open the premises within which the said vehicle is lying.

For Applicant(s): Ms.Uma Vijayan M.R.

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, for appointment of an Advocate Commissioner to seize the subject vehicle in the custody of the respondent or wherever found, if necessary, with police protection and by breaking open the premises and deliver the same to the applicant.



2. When the application came up for hearing on 07.11.2025, this Court, on carefully going through the averments made in the affidavit filed in support of the application, thought it fit to order notice to the respondent to ascertain as to whether the respondent will be willing to settle the dispute.

3. When the matter was taken up for hearing today, affidavit of service has been filed and it is seen that the private notice sent to the respondent has been returned with an endorsement “unclaimed”. It is clear from the above that the respondent is evading service, since the notice that was sent to the address found in the agreement, has been returned. The whereabouts of the vehicle is also not known. Hence, the apprehension of the applicant that the respondent is attempting to secret the vehicle is *prima facie* established.

4. In view of the above, Mr. Saran AK, Deputy Manager, is appointed as Receiver for seizing the subject vehicle from the respondent or wherever it is found and by breaking open the premises, if required, with police aid.

This application is disposed of in the above terms.

02-02-2026

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