



Arbitration Application No.1534 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.1534 of 2025

M/s.Cholamandalam Investment and Finance Co.Ltd.,
Chola Crest, C 54 and 55, Super B-4,
Thiru Vi ka Industrial Estate,
Guindy, Chennai – 600 032,
Represented by its Authoised Signatory Applicant

Vs.

Mr.Vijayakumar S
s/o.Sekar Respondent

Prayer :-

Arbitration Application filed under Order XIV Rule 8 of OS Rules r/w Section 9(1) (ii) (a) (b), (d) & (e) of the Arbitration and Conciliation Act, 1996, to appoint an Advocate Commissioner to seize and deliver the vehicle to applicant which is more fully described in the schedule to the judges 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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ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 to appoint an Advocate Commissioner to seize and deliver the vehicle to applicant which is more fully described in the schedule to the judges 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.

2. When the matter was taken up for hearing today, a report has been filed by the Advocate Commissioner along with the memo seeking for additional remuneration.

3. The learned counsel for the applicant submitted that every time when an attempt was made by the Advocate Commissioner to seize the vehicle, the respondent made some payments and, therefore, no further steps were taken. In any case, the vehicle was not available for seizure. However, till date, the entire amount due and payable by the respondent has not been settled.



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4. The respondent has been served with notice. However, there is no appearance either in person or through counsel.

5. In view of the above, Mr.K.Sundaramoorthy, Advocate Commissioner is replaced by Mr.Nandakumar.K. Area Legal Manager, and who is hereby appointed as receiver and the receiver is permitted to seize the equipment from the respondent or wherever it is found and by breaking open the premises, if required with police assistance.

6. There shall be a direction to the applicant to pay a sum of Rs.15,000/- as additional remuneration to the Advocate Commissioner.

This application is disposed of in the above terms.

23.02.2026

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N.ANAND VENKATESH, J.

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