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Arbitration Application No.1564 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1564 of 2025

Tata Capital Ltd
by its Associate Legal Remedial
R. Kamalakkannan,
Having its Office at
1st Floor, Centennial Square,
6A , Dr Ambedkar Salai,
Kodambakkam ,

Applicant

Vs

Suhail. N

Respondent

PRAYER

Application filed Under Or.XIV, Rule 8 of O.S.Rules, r/w.Sec.9(II)(b), (d) & (E) of Arbitration Act, 1996 seeking to pass an order Appointing Mr.Abish employee currently designated as Legal Manager in the Applicant Company having office First Floor, Centennial Square, Dr.Ambedkar Salai, Kodambakkam, Chennai, Tamil Nadu 600 024 as Receiver to seize and deliver the asset Tata Motors Ltd, Tata LPT 4830 COWL Chassis BS6 engine No. B6 7B62300D02132L64347216 Chassis MAT566014P1N35341, Reg.No.TN52A9232 situated at D.No.36 58 Micoform Street, Thangamapuripattinam Po Patti Tp Tamil Nadu Salem, 636 402. .or wherever it is found morefully described hereunder with police aid or break open the premises from wherever found and handover the same to the Applicant.



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For Applicant : Mr. N.K. Vanan

For Respondent :

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 07.10.2024 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 28.11.2025, 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 Excavator is *prima facie* established.

5. In view of the above, Mr.Abish, Legal Manager is appointed as the Court receiver and the Court receiver is permitted to seize the Excavator 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.

05.01.2026

msr



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N.ANAND VENKATESH, J.

msr

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