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Arbitration Application No.1576 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 05.01.2026**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Arbitration Application No.1576 of 2025**

Tata Capital Limited,  
by its Associate Legal Remedial,  
R.Kamalakkannan  
having its office at  
1<sup>st</sup> Floor, Centennial Square,  
6A-Dr.Ambedkar Salai,  
Kodambakkam, Chennai 600 024

.... Applicant

Vs.

Seenath A.

... Respondent

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 Mr.Krishna Prasad, employed as employee currently designated as Legal Manager in the Applicant Company having its office Ground Floor, Jain Tower, II, NH 17, near Lulu Mall, Edapally, Cochin 682 024, Kerala as Receiver to seize and deliver Asset Model HONDA AMAZE 1.2 S MT (i-v tec) e iv BEARING Engine No.L12B35112492, Chassis No.MAKDF153GGN206640 Reg.No.KL20K7451 situated at M M House, Chathinamkulam Chanthanathope PO Perinad Kollam, Landmark – near MSM Higher



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Secondary School, Quilon 691 014, Kerala or wherever it is found morefully described hereunder, with police aid or break open the premises fromwherever found and handover the same to the Applicant.

For Applicant : Mr. N.K. Vanan  
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### **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 Construction Equipment to the applicant, if required, with police aid.

2. The applicant extended financial facilities to the respondents. Since the respondents committed default, a recall notice dated 10.12.2024 was issued and in spite of receipt of the same, there was no response from respondents. It is under these circumstances, the present petition came to be filed before this Court.

3. When the application came up for hearing on 25.11.2025, this Court issued notice to respondents.

4. Private notice has been served on the respondents and affidavit of service has also been filed. The names of respondents have also been



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printed in the cause list. 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.

5. In view of the above, Mr.Krishna Prasad, Legal 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.

**05.01.2026**

msr



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N.ANAND VENKATESH, J.

msr

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**05.01.2026**