



Arbitration Application No.1586 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. 1586 of 2025**

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

Applicant

Vs

Shylaja.K

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 Krishna Praasad, employed as employee currently designated as Legal Manager in the Applicant company having his office at Ground Floor, Jain Tower II NH 17, Near Lulu Mall, Edappallay, Cochin 682 024 Kerala as Receiver to seize and deliver the asset Maruti Suzuki S Presso VXI bearing Engine No.K10CNC118115 Chassis No.MA3RFL61SNG385500, Reg.No.KL 82 A 0539 situated . Mathira P.O. Near Mathira, Kollam 691 536 Kerala. 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 :  
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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 Excavator 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 10.02.2025 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 25.11.2025, 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 vehicle is *prima facie* established.

5. In view of the above, Krishna Praasad, Legal Manager is appointed as the Court receiver and the Court receiver is permitted to seize the vehicle 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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**05.01.2026**