



WEB COPY



Arbitration Application No.1606 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.1606 of 2025

M/s.HDB Financial Services Limited,
having one of its branch office at
4th Floor, Loyal Towers, No.68/2,
Greens Road, Chennai 600 006,
represented by its Authorised Signatory
Mr.P.Saravanan

.... Applicant

Vs.

- 1. Dalapathi Constructions**
represented by its Managing Partner,
D.No.8-1201/1, Katuru Road,
Vayyuru Krishna,
Andhra Pradesh 521 165
- 2. Venkata Nagaraju Dalapatirao**
S /o. Ramaraju Dalapatirao
D No. 6 80, rajupeta Main Road,
Katuru Krishna,
Vijayawada, Andhra Pradesh 521164
- 3. Damodararaju Dalapatirao,**
S/ o. Ramaraju Dalapatirao,
D No. 6 80, rajupeta Main Road,
Katuru Krishna, Vijayawada,
Andhra Pradesh 521164

.. Respondents



Arbitration Application No.1606 of 2025

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 a receiver namely Mr.Malla Chandrasekhar, Area Collection Manager of the Applicant seize and deliver the Asset PRIMA 2825 TIPPER construction Equipment bearing Registration No.AP 56 CTR 8241 and Engine No.B6.7B6A250D06232C64278555 and Chassis No.MAT780032P3C08500 available at the Respondent premises or wherever found and permit the receiver Mr.Malla Chandrasekhar, Area Collection Manager to obtain police aid and to break open the premises.

For Applicant : Mr.N.K. Vanan

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 27.09.2024 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.



WEB COPY



Arbitration Application No.1606 of 2025

3. When the application came up for hearing on 28.11.2025, this Court issued notice to respondents.

4. Private notice has been served on the respondents and affidavit of service has also been filed. The name of respondents has also been printed in the cause list. However, the respondents 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.Malla Chandrasekhar, Area Collection 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

3/4



WEB COPY



Arbitration Application No.1606 of 2025

N.ANAND VENKATESH, J.

msr

Arbitration Application No.1606 of 2025

05.01.2026