



WEB COPY



Arbitration Application No.1609 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. 1609 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

Suthirkannan. B

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 to pass an order Appointing Abish DJ , employed as employee currently designated as Legal Manager in the Applicant company having his office at First Floor, Centennial Square Dr.Ambedkar Salai, Kodambakkam, Chennai, Tamil Nadu 600 024 as Receiver to seize and deliver the asset ERTIGA SMART HYBRID ZX1 bearing Engine No.K15BN9123729 Chassis No.MA3BNC32SME340975 Reg.No.TN67BV6350 situated 24 Railway Feeder Road, East 1st Street, Aruppukottai, Landmark Near Shop Kamaraj 626 101, Tamil Nadu. .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



WEB COPY



Arbitration Application No.1609 of 2025

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 Motor Car 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 07.08.2025 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 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



Arbitration Application No.1609 of 2025

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 Motor Car is *prima facie* established.

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



WEB COPY



Arbitration Application No.1609 of 2025

N.ANAND VENKATESH, J.

msr

Arb Appln No. 1609 of 2025

05.01.2026