



WEB COPY



Arbitration Application No.1608 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. 1608 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

Ragupathiraja

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 MORRIS GARAGES HECTOR DE 2.0 MT SHARP DE 2.0 MT SHARP bearing Engine No.4058058 and Chassis No.MZ7AD1DDA3H018176 Reg.No.TN63BM0010 situated 5 16 6A, Deivanai Illam, Gurunathan Street, Anbu Nagar, Gomathipuram, Land mark Near Vinayagar Kovil, Madurai 625 020., Tamil Nadu...or wherever it is found morefully described hereunder, with police aid or



Arbitration Application No.1608 of 2025

break open the premises from wherever found and handover the same to the applicant

WEB COPY

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 06.05.2025 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



Arbitration Application No.1608 of 2025

service has also been filed. The name of respondent has also been printed 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.1608 of 2025

N.ANAND VENKATESH, J.

msr

Arb Appln No. 1608 of 2025

05.01.2026



WEB COPY



Arbitration Application No.1608 of 2025