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Arbitration Application No.1610 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb Appln No. 1610 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

K. Sampath Kumar

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 R.Kamalakkannan, employed as employee currently designated as Associate Legal remedial in the Applicant company having his office at First Floor, Centennil Square Dr.Ambedkar Salai, Kodambakkam, Chennai, Tamil Nadu 600 024 as Receiver to seize and deliver the asset MODEL TATA HITACHI ZX140 make SWIFT LXI bearing Engine No. K12NP1132974 Chassis No. MBHCZCB3SML897714 Reg. No. TN52AA2626 situated 1 171 4 TVK Nagar, Sankari TK RK Thirumanamandabam Back Side, Land Mark Amman Koil Gudalur, Salem 637 103 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

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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 09.01.2025 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.



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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 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, R.Kamalakkannan, Associate Legal remedial 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



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N.ANAND VENKATESH, J.

msr

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