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Arbitration Application No.1631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.1631 of 2025

Tata Capital Limited,
by its Associate Legal Remedial,
Abish DJ
having its office at
1st Floor, Centennial Square,
6A-Dr.Ambedkar Salai,
Kodambakkam, Chennai 600 024

.... Applicant

Vs.

Sri Mahalakshmi Traders,
2 740 Nadar Street, Singipuram,
Vazhapaddi,
Salem 636 115,
Tamil Nadu

... Respondent

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 Mr. R. Kamalakannan, employed as employee, currently designated as Associate Legal Remedial 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 TATA NEXON XZ+(hz) 1.5 RTQ BS6, bearing Engine No.1.5CR05EXXW11893 Chassis No.MAT627176NLF63599, Reg No.TN77AZ4276, situated at 2 740, Nadar Street, Singipuram, Vazhapaddi, Salem 636 115, Tamil Nadu, or wherever it is found more fully described in the judges summons with police aid or break open the premises from wherever found and handover the same to the applicant.

For Applicant : Mr. N.K. Vanan



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ORDER

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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 vehicle 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 10.05.2024 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 01.12.2025 this Court issued notice to respondent.

4. Private notice sent to the known address of the respondent has been returned with an endorsement 'unclaimed'. Affidavit of Service has also been filed to that effect. Hence, service on the respondent is deemed sufficient. The name of respondent has also been printed in the cause list. However, the respondent is neither present nor represented through



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counsel when the matter was called. 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, Mr. R. Kamalakannan, Associate Legal Remedial 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.

12.01.2026

msr

N.ANAND VENKATESH, J.

msr



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