



Arbitration Application No.1628 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.1628 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.

Padma Gunasekaran

... 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 MARUTI SUZUKI OMNI bearing Engine No.FKBJN4881883, Chassis No.MA3EVB11SO167552, Reg.No.TN38CE2446 situated at 201, Guna Padma Illam Subburayan Street, K.K. Pudur, Coimbatore, land mark opposite to Nsn Oil Company Coimmbatore 641 038, 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

ORDER



Arbitration Application No.1628 of 2025

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 07.03.2024 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 respondent has been served. Affidavit of Service has been filed to that effect. The name of respondent has also been printed in the cause list. However, the respondent is neither present nor represented through 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.



Arbitration Application No.1628 of 2025

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



WEB COPY



Arbitration Application No.1628 of 2025

Arbitration Application No.1628 of 2025

12.01.2026