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Arbitration Application No.1642 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.1642 of 2025

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

.... Applicant

Vs.

Shamsudheen
No.13A, Silver Hill Enclave,
rd
3 Street A,
Valliyammal Nagar, Rakkiyapalayam,
Tirupur,
Land Mark, Valliyammal Apartment near,
Coimbatore 641 608,
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 a receiver namely R. Kamalakkannan, employed as employee currently designated as Associate Legal remedial in the Applicant company having his office First Floor, Centennial Square, Dr. Ambedkar Salai, Kodambakkam, Chennai, Tamil Nadu 600 024 as Receiver to seize and deliver the asset BALENO ALPHA bearing Engine No.K12NP7156979 Chassis No. MBHHWB13SNK286641,Reg.No.TN39CU881 situated at No.13A,



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rd

Silver Bill Enclave, 3 Street A, Valliyammai Nagar, Rakkiyapalayam, Tirupur, Land mark – Valliyammai Apartment, near Coimbatore 641608, Tamil Nadu or wherever it is found more fully described hereunder 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

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 Construction Equipment 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 08.07.2025 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 03.12.2025 this Court issued notice to respondents.



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4. Private notice has been served on the respondent and affidavit of service has also been filed. The names 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 Construction Equipment 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 Construction Equipment from the respondents 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



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N.ANAND VENKATESH, J.

msr

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