



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Arb. Appln. No.1725 of 2025

M/s.Cholamandalam Investment and Finance Company Limited

'Chola Crest', C 54 & 55, Super B-4

Thiru Vi ka Industrial Estate

Guindy, Chennai - 600 032

Rep. by its Authorised Signatory

.. Applicant

Vs.

Vivek Kumar

.. Respondent

Arbitration Application under Order XIV Rule 8 of Original Side Rules r/w Section 9 (1) (ii) (a) (b) (d) & (e) of the Arbitration and Conciliation Act, 1996, praying to appoint employee of the applicant viz., Mr.Vineet Kumar, Area Receivables Manager, as receiver to seize and take possession of the vehicle which is morefully described in the schedule to the Judges Summons which is lying in the custody of respondent and respondent's men, agents, servants from respondent premises or wherever found with police aid and break open of premises, if necessary.

For Applicant : Mr.D.Pradeep Kumar

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (in short “the Act”).

2.When the matter came up for hearing on 02.01.2026, this Court passed the following 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 vehicle from the respondent to the applicant, if necessary, with police protection and by breaking open the premises.

2. Heard Mr.D.Pradeep Kumar, learned counsel for applicant and carefully perused the materials available on record.



N.ANAND VENKATESH, J.

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3. It is seen that an award has already been passed on 22.08.2025 directing the respondent to pay a sum of Rs.11,15,728/-. The specific case of the applicant is that till date, the award has not been challenged. The applicant is also not able to take possession of the vehicle. According to the applicant, the total amount that is due and payable by the respondent is Rs.12,29,162.07 as on 28.11.2025. It is under these circumstances, the present application has been filed before this Court.

4. Considering the fact that an award has been passed and the applicant must be able to recover the amount from the respondent, this Court is inclined to appoint a receiver.

5. Accordingly, Mr.Vineet Kumar, Area Receivables Manager, is appointed as the receiver and the 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.

6. Notice to the respondent returnable by 02.02.2026. Private notice is also permitted.

List this application on 02.02.2026.”

3.It is seen that the private notice sent to the respondent has been duly served. Though the respondent has been served, there is no appearance either in person or through counsel.

4.In view of the above, it is quite clear that the respondent is trying to evade the notice and the apprehension on the part of the applicant that the respondent is trying to secret the vehicle is *prima facie* proved. Hence, the order passed on 02.01.2026 is made absolute and this application is disposed of in the above terms.

02.02.2026

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