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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2026

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THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Arb. Appln. No.1734 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.

Akhtar Ali

.. Respondent

Application filed 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.Sonu Singh, 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 18.08.2025 directing the respondent to pay a sum of Rs.7,36,518/-. 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.8,79,543.07/- 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.Sonu Singh, 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.Affidavit of service has been filed along with the internet portal tracking, which shows the status of service as pending. The notice has been sent to the address given by the respondent and for some strange reasons, there is no response in terms of acknowledgment or return of the cover. All other correspondences had with the respondent has been served in the same address. Hence, this Court is of the view that the respondent is evading notice.

4.In view of the above, the order passed on 02.01.2026 is made absolute.

Accordingly, this application is disposed of.

09.02.2026

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