



IN THE HIGH COURT OF JUDICATURE AT MADRAS



DATED: 09.02.2026

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

Arb Appln No. 1738 of 2025

M/s.Mercedes-Benz Financial Services India Private Limited
5th Floor, Plot 8, Baashyam Willow Square 9 & 10, First Street
Thiru Vi Ka Industrial Estate, Guindy, Chennai 600 032
Rep. by its Authorised Signatory

Applicant(s)

Vs

Praseeth Padman

Respondent(s)

PRAYER

To appoint the Advocate Commissioner to seize and take possession of the vehicle which is more fully described in the schedule to the Judges Summons which is lying in the custody of respondent or respondent men, agents, servants from respondent premises or wherever found with police aid and break open of premises if necessary.

For Applicant(s): Mr.D.Pradeep Kumar

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, for appointment of Advocate Commissioner to seize the subject vehicle in the custody of the respondent or wherever found, if necessary, with police protection and by breaking open the premises and deliver the same to the applicant.



2. When the application came up for hearing on 05.01.2026, this Court, on carefully going through the averments made in the affidavit filed in support of the application, thought it fit to order notice to the respondent to ascertain as to whether the respondents will be willing to settle the dispute.

3. When the matter was taken up for hearing today, affidavit of service has been filed and it is seen that the private notice sent to the respondent has been returned with an endorsement “not known”. It is clear from the above that the respondent is evading service, since the notice that was sent to the address found in the agreement, has been returned. The whereabouts of the vehicle is also not known. Hence, the apprehension of the applicant that the respondent is attempting to secret the vehicle is *prima facie* established.

4. In view of the above, Mr. Senthil Kumar V, Chief Manager Collections, is appointed as Receiver for seizing the subject vehicle from the respondent or wherever it is found and by breaking open the premises, if required, with police aid.

This application is disposed of in the above terms.

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