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Arb Appln No. 769 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb Appln No. 769 of 2025

M/s.TATA Capital Limited,
By its Associate Legal Remedial,
R.Kamalakkannan
Having its office at
1st Floor, Centennial Square,
6A – Dr. Ambedkar Salai,
Kodambakkam, Chennai – 600024.

..Applicant(s)

Vs

Vijayakumar Venkatachalam

..Respondent(s)

Prayer To pass an order Appointing advocate commissioner to seize and deliver the asset viz., EARTHMOVER, JCB 215LC QM – bearing machine No.3400576, Chassis No.PUNJD21AJR3400576, Engine No.84564669 situated at 4/1414, Sakthi Nagar, Kodappamaickenpatti Kannakuruchi Landmark near Temple, Salem, Tamilnadu – 636 008 or wherever it is found more fully described hereunder, with police aide or break open the premises from wherever found and handover the same to the applicant.

For Applicant(s): Mr.N.K.Vanan

For Respondent(s): No appearance

ORDER

This application has been filed to appoint employee of the Applicant viz., EARTHMOVER, JCB 215LC QM – bearing machine No.3400576, Chassis



No.PUNJD21AJR3400576, Engine No.84564669 situated at 4/1414, Sakthi Nagar, Kodappamaickenpatti Kannakuruchi Landmark near Temple, Salem, Tamilnadu – 636 008 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.

2. There is no appearance on the side of the respondent, when the matter is called today.

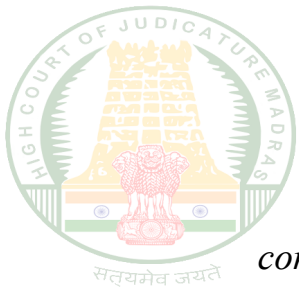
3. During the earlier hearing on 04.06.2026, this Court had passed the following self-explanatory order:-

“ The learned counsel appearing for the applicant would submit that there are about 12 installments to be made good by the respondent.

2. The learned counsel appearing for the respondent seeks reasonable time to make good the payment.

3. Recording the statement made by the learned counsel appearing for the respondent, time is granted till 15.07.2026. Failing which, the respondent is directed to surrender the Asset to the applicant.

4. In view of the orders passed by this Court, the Warrant issued to the Advocate Commissioner shall stand discharged.



5. *List on 16.07.2026 under the caption 'for reporting compliance'.*”

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4. The learned counsel appearing for the applicant would submit that there is no installment that was made good by the respondent pursuant to the undertaking given before this Court.

5. In such view of the matter, the respondent is directed to surrender the asset viz., EARTHMOVER, JCB 215LC QM – bearing machine No.3400576, Chassis No.PUNJD21AJR3400576, Engine No.84564669 within a period of four(4) weeks from today(16.07.2026).

6. With the above direction, this application stands closed. No order as to costs.

16-07-2026

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K.KUMARESH BABU, J.

Maya

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