



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

OA Nos. 642 and 643 of 2026

D Malarkodi

W/o.M.Duraisamy, No.E-1, Bhatia

Garden,Manapakkam,Chennai-600 125

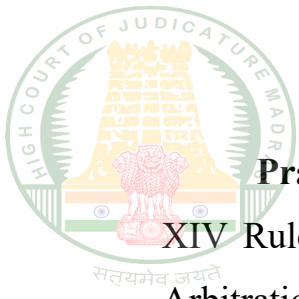
..Applicant in both
applications

Vs

1. S.K.Industries
No.1/122, Kovur- Paraniputher Service Road,
Periapanicherry, Chennai 600 128.
2. B Ravindran
No. 3/2,Shanthi Nagar, 8th
Street,Adambakkam,Chennai-600088
3. S Mithun Balaji
No.31, 2nd Street,Shanthi
Nagar,Adambakkam,Chennai-600088
4. Leelavathy Medical Device Company
No. 1/22, Kovur-Paraniputhur Service
Road,Periapanicherry,Chennai-600128

..Respondents in both
applications

Prayer in O.A.No.642 of 2026: Original application filed under Order XIV Rule 8 of O.S. Rules read with Section 9(1) (ii) (a) and 9(1) (ii) (e) of Arbitration and Conciliation Act, 1996, to grant an INTERIM INJUNCTION restraining the 4th Respondent firm from utilizing the assets, resources, electricity connection and infrastructure of the 1st Respondent partnership firm as mentioned in the Schedule of Property in any manner whatsoever, till the disposal of the arbitral proceedings.



Prayer in O.A.No.643 of 2026: Original application filed under Order XIV Rule 8 of O.S. Rules read with Section 9(1) (ii) (a) and 9(1) (ii) (e) of Arbitration and Conciliation Act, 1996, to grant an INTERIM INJUNCTION thereby restraining the 4th respondent firm from operating in the premises of the 1st respondent partnership firm, as mentioned in the schedule of property, in any manner whatsoever, till the disposal of the arbitral proceedings.

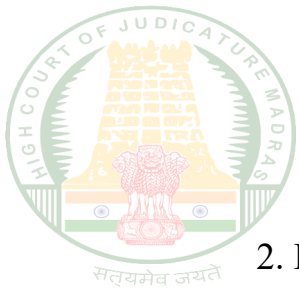
For Applicant : Mr.Naveen Kumar Murthi
[in both applications] for Ms.S.Varsha

COMMON ORDER

These applications have been filed for the following reliefs:

Prayer in O.A.No.642 of 2026: Original application has been filed for grant an INTERIM INJUNCTION restraining the 4th Respondent firm from utilizing the assets, resources, electricity connection and infrastructure of the 1st Respondent partnership firm as mentioned in the Schedule of Property in any manner whatsoever, till the disposal of the arbitral proceedings.

Prayer in O.A.No.643 of 2026: Original application has been filed for grant an INTERIM INJUNCTION thereby restraining the 4th respondent firm from operating in the premises of the 1st respondent partnership firm, as mentioned in the schedule of property, in any manner whatsoever, till the disposal of the arbitral proceedings.



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2. Heard the learned counsel for the applicant.

3. It is the claim of the learned counsel for the applicant that the 4th respondent is a partnership firm controlled by the 1st respondent company. The 2nd respondent is also a partner in the 1st respondent firm. The 4th respondent company is operating on the said premises without paying the rent and electricity bills and as the 2nd respondent is common to both the 4th and 1st respondents, the present applications had been filed seeking restraint order against the 4th respondent. Therefore, he would submit that the present applications can also be decided by this Court, in view of the common role of the 2nd respondent in the 1st respondent company.

4. This Court is unable to accept the statements made by the learned counsel for the applicant. Admittedly, the 4th respondent is a partnership firm and had been permitted to operate in the premise of the 1st respondent under a separate rental agreement.

5. In such view of the matter, this Court is of the view that the present applications under Section 9 of the Arbitration and Conciliation Act, 1996 would not be maintainable for the relief sought for against the 4th respondent. Accordingly, these applications stand dismissed with liberty to the applicant to



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K.KUMARESH BABU J.

mp

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approach the Civil Court to seek appropriate remedies against the 4th respondent.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

mp

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