

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2016

CORAM

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

C.S.No.110 of 2016
and
O.A.No.125 of 2016

N.S.Chandran

... Plaintiff

Vs

A.Vimala

... Defendant

Plaint filed under Order IV Rule 1 of The Madras High Court Original Side Rules, 1956 as amended read with Order VII Rule 1 C.P.C., as amended.

For Plaintiff : Mr.V.P.Raju

For Defendant : Mr.A.Thiagarajan

JUDGMENT

By consent, the civil suit itself is taken up for final disposal.

2.The suit has been filed by the plaintiff seeking the following relief:

Permanent injunction restraining the defendant, her men, agents, servants or anyone claiming under her from in any way interfering with the peaceful possession and occupation of the plaintiff over the suit schedule premises including the electricity service connection, water supply and sewerage service connection therein, as its tenant, except by due process of law.

3.The plaintiff is running a hotel under the name and style "Madurai Pandian Chettinad Hotel". There exists a tenancy between the plaintiff and the defendant. The plaintiff is none other than the son-in-law of the defendant. Alleging that the defendant is trying to interfere with the peaceful possession and enjoyment of the suit property, the present suit has been filed.

4.It is seen from the records that already action has been initiated by the Corporation of Chennai and Tamil Nadu Food Safety and Drug Administration Department and the plaintiff has participated in the proceedings. The defendant has initiated action for evicting the plaintiff on the ground of wilful default among other grounds. It is thus agreed between the parties to dispose of the suit on the following terms:

1.The defendant shall not evict the plaintiff from the suit schedule property except by due process of law.

2.The judgment and decree passed in the suit will not have a bearing on the pending proceedings initiated by the Corporation of Chennai and the action taken by the Tamil Nadu Food Safety and Drug Administration Department.

3.The statutory authorities are at liberty to proceed in accordance with law notwithstanding the decree passed in the suit and decide the same on its own merits.

5.Accordingly, the suit is disposed of on the above terms. No costs. Consequently, connected application is closed. All the contentions raised by the respective parties are left open to be decided in the appropriate forum.

09.06.2016

M.M.SUNDRESH,J

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To

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

C.S.No.110 of 2016

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