

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2017

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.S.No.88 of 2015
& O.A.No.146 OF 2015

M/s.Abu Prabha Builders Pvt. Ltd,
By its Director, Mr.A.M. Mansoor

... Plaintiff

vs.

- 1.M/s.Chennai Metro Rail Ltd.,
Administration Block, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai - 600 107.
2. Mr. R.Ramanathan, Director (Projects)
M/s.Chennai Metro Rail Ltd,
Administration Block, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai - 600 107.

... Defendants

Prayer:- The plaint is filed under Order VII Rule 1 of CPC and Order IV Rule 1 of O.S.Rules, praying for a judgement and decree as follows:

- a) a permanent injunction restraining the defendants, their men, agents or servants or any one either claiming under or through them in any way and in any manner disturbing the peaceful possession and enjoyment of the suit schedule property by the plaintiff.
- b) for costs of the suit.

For plaintiff : Mr.G.Veerapathiran
For Defendants : Mr.Jayesh B.Dolie

ORDER

The suit has been filed for permanent injunction restraining the defendants, their men, agents or servants or any one either claiming under or through them in any way and in any manner disturbing the peaceful possession and enjoyment of the suit schedule property by the plaintiff.

2. The case of the plaintiff is that the plaintiff is the absolute owner of the property in Old T.S.No.15, New T.S.No.15/14 (Part) to an extent of one ground. While so, the respondent is attempting to interfere with the possession of the plaintiff. Hence, the suit.

3. The defendants filed a memo stating that the vacant land to an extent of 7 grounds and 2362 sq.ft. was acquired for Chennai Metro Rail Project in T.S.No.35/25 in Block No.1, Puliyur Village, Egmore Taluk and when the defendants proposed to put up compound wall to their lands. The present suit has been filed.

4. It is further stated that the defendants are not intending to claim any right or interest over the suit schedule property and an undertaking was given that the defendant would put up the compound wall only in the property in T.S.No.35/25, Puliyur Village, Arumbakkam, Chennai.

5. Heard the learned counsel for both sides and perused the materials available on record.

6. In view of the above facts, while recording the memo, the civil suit is decreed in terms of the memo filed by the defendants and the memo dated 12.04.2017 shall form part of the decree. No costs. Consequently, the connected application is closed.

12.04.2017

Index: Yes/ No
Internet:Yes/No
pvs

To

1. M/s.Chennai Metro Rail Ltd.,
Administration Block, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai - 600 107.
- 2.The Sub Assistant Registrar,
Original Side,
High Court, Madras.

