

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 18TH DAY OF AUGUST 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A.NO.4734 OF 2017

AND

O.A. No.438 of 2013

In the matter of Arbitration
and Conciliation Act, 1996

and

In the matter of Clause 39
of the Joint Development
Agreement dated 02.12.2009
between the Applicant and
the Respondent.

O.A.No.438 of 2013:-

Sagas Constructions,
Rep. by its Sole Proprietor,
L.Shanthakumar, No.3C-III Street,
Dr.B.N.Road, T.Nagar,
Chennai-600 017.

... Applicant/Applicant

-Versus-

1. Mr.Michael Devadasan Dhankumar Samuel,
H-1, Turn Bulls Road, First Cross Street,
Nandanam, Chennai-600 035.

2. Dr.M.Kumaran,
M/s.Kumaran Housing Private Limited,
No.1, V.O.C.II Main Road,
Kodambakkam, Chennai-600 024.

... Respondents/Respondents

Original Application praying that this Hon'ble Court
be pleased to grant an order of interim injunction
restraining the respondents, their men, agents or servants
or anybody or everybody claiming under them from in any way
alienating or encumbering or creating any charge over the
property morefully described in the schedule thereunder
pending disposal of the arbitration proceedings.

A.No.4734 of 2017:-

1. Mr.Michael Devadasan Dhankumar Samuel,
H-1, Turn Bulls Road, First Cross Street,
Nandanam, Chennai-600 035.

2. Dr.M.Kumaran,
M/s.Kumaran Housing Private Limited,
No.1, V.O.C.II Main Road,
Kodambakkam, Chennai-600 024. ...Applicants/Resondent

-VS-

Sagas Constructions,
Rep. by its Sole Proprietor,
L.Shanthakumar, No.3C-III Street,
Dr.B.N.Road, T.Nagar,
Chennai-600 017. ...Respondent/Plaintiff

Application praying that this Hon'ble Court be pleased to vacate the order of injunction dated 07/04/2014 in O.A.438 of 2013 in application No.2485 of 2013.

This Application coming on this day before this court for hearing the court made the following order:

Heard the learned counsel for the applicant.

2.Learned counsel for the applicant would state that dispute arising of between the parties pursuant to Joint Development Agreement dated 21.02.2009 has been settled and the entire amount of Rs.1,86,00,000/- has been duly received by his client.

3. In this view of the matter, this application is closed as nothing further survives to be adjudicated upon.

Sd/-A.S.M.J
18.08.2017

//Certified to be a true copy//

Dated this the th day of 2017.
EM/21.08.2017 COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.