

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 15TH DAY OF FEBRUARY 2018

THE HON'BLE DR. JUSTICE ANITA SUMANTH

O.A. Nos.75 and 76 of 2015

In the matter of Arbitration and Conciliation Act 1996 between M/s.Vasavi Housing Infrastructure Limited and M/s.Vasavi Meppur Constructions Private Limited rep. by its Director and M/s.Media One Innovation Private Limited rep. by its Director V.P.Balaji and others, In the matter of Memorandum of Understanding dated 23.05.2014 and 27.08.2014.

1.M/s.Vasavi Housing Infrastructure Limited
Rep. by its Director
No.8, Kandasamy Street,
R.A.Puram,
Chennai-600 028.

2.M/s.Vasavi Meppur Constructions Private Limited
Rep. by its Director
No.8, Kandasamy Street,
R.A.Puram,
Chennai-600 028.

...Applicant/Applicant

Vs.

1.M/s.Media One Innovation Private Limited
Rep. by its Director
V.P.Balaji
3rd Floor, Rangamandiram,
Old No.10, New No.17, Car Street,
Triplicane, Chennai-600 005.

2. Mr. V. P. Balaji
S/o. V. Parthasarathy
Flat No.6, 2nd Floor,

Sri Parthasarathy Apartments,
Old No.10, New No.17, Car Street,
Triplicane, Chennai 600 005.

3.The Indian New Paper Society (INS)
Rep. by its Secretary General
Regd office, INS Building, Rafi Marg,
New Delhi-110001. ...Respondents/Respondents

O.A.No.75 of 2015

Original Application praying that this Hon'ble Court be pleased to grant an order of interim injunction restraining the respondents, their men, agents from in any manner proceeding in accordance with the Accreditation Rules of the 3rd respondents Society, including advising member publications not to carry advertisements of the applicants organization in their respective publications, by raising embargo.

O.A.No.76 of 2015

Original Application praying that this Hon'ble Court be pleased to grant an order of interim injunction restraining the respondents, their men, agents from in any manner interfering with the peaceful possession and enjoyment of the Applicants property as mentioned in the schedule hereunder.

These Original applications coming on this day before this court for hearing the court made the following order:

The applications have been filed in terms of Section 9 of the Arbitration and Conciliation Act.

2.Though an order of injunction has been obtained by the applicant by order dated 23.01.2014, learned counsel for the applicant would confirm that no proceedings for ar-

3.The matter was referred to Mediation, but was returned without any decision being rendered, in the light of the request of the party seeking time.

4.Thereafter it appears that the first respondent has filed a suit arraying the applicant as a respondent which is being pursued by both the parties.

5.In the light of the fact that the parties are contesting the suit, the learned counsel for the applicant does not pursue the present applications and submits that the same may be closed recording the above position.

6.In the light of the categorical assertion that the arbitration clause between the parties is not being invoked and the applicant is participating the civil suit filed by the respondent, the applications are dismissed as not maintainable.

Sd/- DR.A.S.M.J.

15.02.2018

//Certified to be a true copy//

Dated this the day of 2019.

SU/17.10.2019

COURT OFFICER

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