

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 30th DAY OF OCTOBER 2018

THE HON'BLE MR. JUSTICE C.SARAVANAN

A. No.7623 of 2018

In the matter of Arbitration
and Conciliation Act, 1996

And

In the matter of Disputes
between Mrs.M.P.Sudha and
M/s.Green Tree Homes and
Ventures Private Ltd.

Mrs.M.P.Sudha
D/o.SouminiKurup
No.1,Bhakthavatsalapuram
Avadi
Chennai 600 054.

... Applicant

-Versus-

1.Green Tree Homes and Ventures Pvt Ltd
Rep.by its Director
Mr.Sathyamurthy
No.13, Sreeman Srinivasan Rod
Alwarpet
Chennai.

2.Mr.E.Dinesh
Ex.Director Green Tree Homes
No.6, IV Floor

Bishop Wallers Avenue
CIT Colony, Mylapore
Chennai 600 004.

3.Mrs.R.Kumari
21/20, Subramaniam Street
Subramaniam Nagar
Perambur
Chennai 600 011.

...Respondents

Application praying that this Hon'ble Court be pleased to direct the 2nd and 3rd respondent to deposit the original title deed of the Applicant which is in their custody into the custody of this Hon'ble Court in order to protect the interest of the applicant over her property.

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

This application has been filed to direct the 2nd and 3rd respondent to deposit the original title deed of the Applicant which is in their custody into the custody of this Hon'ble Court in order to protect the interest of the applicant over her property.

2. In the above application, the applicant has made the learned counsel Mrs.R.Kumari as third respondent. The applicant cannot make a counsel representing the respondent

as a party to the proceeding. Accordingly, the name of the

third respondent is directed to be struck off from the above application.

3. In the typedset of documents filed by the applicant, the learned counsel for the applicant has drawn my attention to the letter dated 23.01.2016 of Mrs.R.Kumari, learned counsel for the second respondent herein. In the afforesaid letter the learned counsel has mentioned that the second respondent has filed the suit in O.S.No.6862 of 2015 before the XIII Assistant City Civil Court and has also filed an application in I.A.No.722 of 2016 in the above suit to permit him to deposit the original documents of Korattur Customers, which are in his custody.

4. The learned counsel for the applicant submits that based on the above letter, the applicant has filed an application in I.A.No.2786 of 2016 in O.S.No.6862 of 2015 to implead the applicant herein as defendant in the suit. However, the application is still pending before the City Civil Court, Chennai. The applicant is permitted to workout

his remedy before the City Civil Court, Chennai based on the letter given by the learned counsel on 23.01.2016.

5. Mrs.R.Kumari, the learned counsel for the second respondent is also submitted that the documents are the subject matter in I.A.No.6672 of 2016 in O.S.No.6862 of 2015. The learned counsel has also filed the copy of the application filed before the City Civil Court, Chennai.

6. Recording the same, the application is disposed of.

Sd/- C.S.N.J
30.10.2018

//Certified to be a true copy//

Dated this the day of 2018.

सत्यमेव जयते

DL/12.11.2018

COURT OFFICER

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