

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 06TH DAY OF SEPTEMBER 2019

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

A.No.6196 of 2019

in

E.P.NO.149 of 2017

Award dated 04.01.2017

(Before the Arbitral Forum at Chennai)

THE HON'BLE MR.JUSTICE K.VENKATARAMAN(RETD.) (ARBITRATOR
APPOINTD BY THE HIGH COURT IN SUIT, O.P.NO.49 OF 2014)

Under the Arbitration and
Conciliation Act, 1996 In
the matter of Arbitration
and conciliation Act, 1996

And

In the matter of Agreement
dated 25.06.2010

E.P.No.149 of 2017:

M/S VGN DEVELOPERS PVT LTD.

(FORMERLY KNOWN AS

M/s.VGN Developers Private Limited,

Rep by its Authorized Signatory

Peter Deva Sagaya Rajan,

S/O Mr.R.Karthigaivel, Legal Officer,

No.153, Wallace Garden,

2nd st, Nungambakkam,

Chennai-600 006.

..Claimants/Deree-Holder

-VS-

1.MRS.VANJULAVALLI

W/O T.R.Sundarajan, No.160,

East Chithirai Street, Srirangam,

Trichy-620 006

2. MR.S.NARSIMHAN,

S/O T.R.Sundarajan, No.160,

East Chithirai Street, Srirangam,

Trichy-620 006,

(Bachelor-expired represented by legal representatives
Respondents R1 and R3 mother and brother)

3. MR.S.RAJKUMAR
S/O T.R.Sundarajan, No.160,
East Chithirai Street, Srirangam,
Trichy-620 006

4. M/S ROYAALE CHENNAI REALTORS,
LVT Centre, New No.7, Old No.4,
Seshadri Road, Alwarpet, Chennai - 600 018.

5. MR.B.SATHYANARAYANAN
Currently residing at:
L66 L block, 24th Street,
Anna Nagar East Chennai-600 102
also at : LVR Centre,
No.7,Old No.4,
Seshadri Road, Alwarpet,
Chennai-600 018

6. B.KUMARAVEL PANDIAN
Currently residing at
Sai Kranthi, 31/15, 3rd Main Road,
Raja Annamalaipuram, Chennai,
Also at LVR Centre, New No. 7,
old No.4, Seshadri Road, Alwarpet,
Chennai-600 018

...Respondents/Judgement Debtors

A.No.6196 of 2019:

M/S VGN DEVELOPERS PVT LTD.
(FORMERLY KNOWN AS
M/s.VGN Developers Private Limited,
Rep by its Authorized Signatory
Peter Devasagayam,
S/O Mr.R.Karthigaivel, Legal Officer,
No.15, Wallace, Garden,
2nd st, Nungambakkam,
Chennai-600 006.

...Applicant/Applicant

-VS-

1.MRS.VANJULAVALLI
W/O T.R.Sundarajan, No.160,
East Chithirai Street, Srirangam,
Trichy-620 006

2. MR.S.NARSIMHAN,
S/O T.R.Sundarajan, No.160,
East Chithirai Street, Srirangam,
Trichy-620 006,
represented by legal representatives
Respondents, R1 and R3 mother and brother

3. MR.S.RAJKUMAR

S/O T.R.Sundarajan, No.160,
East Chithirai Street, Srirangam,
Trichy-620 006 ..Respondents /Respondents

4. M/S ROYAALE CHENNAI REALTORS,
LVT Centre, New No.7, Old No.4,
Seshadri Road, Alwarpet, Chennai - 600 018.

5. MR.B.SATHYANARAYANAN
Currently at L66 L block, 24th Street,
Anna Nagar East Chennai-600 102
also at : LVR Centre,
No.7,Old No.4,
Seshadri Road, Alwarpet,
Chennai-18 ..Respondents /Respondents

6. B.KUMARAVEL PANDIAN
Currently residing at
Sai Kranthi, 31/15, 3rd Main Road,
Raja Annamalaipuram, Chennai,
Also at LVR Centre, New No. 7,
old No.4, Seshadri Road, Alwarpet,
Chennai-18 ..Respondents /Respondents

This application praying that this Honble Court be
pleased to direct the Learned Master, High Court, of
Judicature at Madras to dispose of the E.P.No.149 of 2017
filed on 26/10/2017.

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

This application has been filed seeking direction to
the learned Master, High Court of Judicature, to dispose of
E.P.No.149 of 2017 filed on 26.10.2017.

2.Learned counsel for the applicant would state that
though the award has been passed in the month of January
2017, Execution Petition is pending for the past two years
without any progress and hence the learned counsel seeks
direction to dispose of the Execution Petition, within a
period of four weeks.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Learned counsel for the respondent would submit

that challenging the award, the respondent had already filed O.P.No.241 of 2018 and he seeks time to file counter.

4. It is not in dispute that Execution petition has been pending for the past two and half years and if the respondent, is having any valid defence, let it be considered by the learned Master.

5. Learned Master is directed to dispose of the Execution Petition No.149 of 2017 on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. This Application is ordered on the above terms.

Sd/. M.K.K.S.J

06.09.2019

//Certified to be a true copy//

Dated this the day of 2019.

S.U./18.09.2019

COURT OFFICER

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

WEB COPY