

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 04TH DAY OF JANUARY 2019

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

A. No. 9666 of 2018

in

C.S.No.422 of 2015

1. The Chrome Leather Company
Limited having its registered office at 7,
Works Road, Chromepet, Chennai 600 044.
Rep. by its Manager/Authorised signatory
Mr.A.Selvakumar
- 2 Sri Lakshmi Ammal Educational
Trust having regd off. at 29, Tilak Street
T.Nagar, Chennai 600 017
Rep. by its Trustee J.Anusuya
- 3 Bharath Institute of Higher
Education and Research (Bharath University)
Deemed to be University
having regdistered office at
25, Mahalingam Street,
Mahalingapuram, Chennai-600 034
Represented by its Registrar,
Mr.V.Kanakasabai ..Applicants/Plaintiffs

Vs

Quentin Dawson
S/o.Late G.E.Dawson,
No.4/350 Kennedy Valley.
Moovarasampet Chennai 600 091. ...Respondent/Defendant

Application praying that this Hon'ble Court be pleased
to:

Frame the additional issues in the above suit as
follows:

(1) Whether the order dated 08/07/2008 made in

<https://hcservices.ecourt.gov.in/Beside/2007> in O.P.NO.178/1969 would operate as estoppel

against George Joseph Chambers and any one claiming under

him to claim as the legal heirs of the late Ida L Chambers.

(2) Whether the dismissal of Criminal OPs and Writ Petitions filed by the defendant by this Hon'ble Court, would not operate as estoppel against the defendant thereby preventing him from committing any act slandering the title of plaintiff in respect of the suit properties.

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

This application has been filed for framing additional issues.

2. Mr.G.Masilamani, learned Senior Counsel appearing for the applicants would state that based on the pleadings and other materials available on record, the following additional issues have to be framed:

1. Whether the order dated 08.07.2008 made in Appln.No.3899 of 2007 in O.P.No.178/1969 would operate as estoppel against George Joseph Chambers and any one claiming under him to claim as the legal heirs of the late Ida L.Chambers?
2. Whether the dismissal of Criminal Ops and Writ Petitions filed by the defendant by this Hon'ble Court, would not operate as estoppel against the defendant thereby preventing him from committing any act slandering the title of plaintiff in respect of the suit properties?

additional issues have necessarily to be framed and by framing the additional issues no prejudice would be caused to the respondent / defendant.

4. In the light of the above facts, additional issues are framed. Accordingly, this application is allowed.

5. Registry is directed to post the suit before the learned Additional Master II, for recording evidence.

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

04.01.2019

//Certified to be a true copy//
Dated this the day of 2019.

SU/01.11.2019

COURT OFFICER

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

सत्यमेव जयते

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