



WEB COPY



O.A.No.622 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2020

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THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

O.A.No.622 of 2018

K.Sivakumar

... Applicant

Vs.

1.M/s.Amar Prakaash Developers Private Limited,
rep. by its Directors,
1.A.Sudhir Kumar Surana,
2.S.Aadarsh Kumar Surana,
3.S.Aashish Surana,
4.S.Kuldeep Surana
having office at No.42, Rajendra Prasad Street,
Nehru Nagar, Chrompet, Chennai – 600 044.

2.M/s.Amar Prakaash Property Management
Services Pvt. Ltd.
rep. by its Directors
1.A.Sudhir Kumar Surana,
2.S.Aadarsh Kumar Surana,
3.S.Aashish Surana,
4.S.Kuldeep Surana
having office at No.42, Rajendra Prasad Street,
Nehru Nagar, Chrompet, Chennai – 600 044.

... Respondents



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Original Application filed under Order XIV Rule 8 of O.S. Rules read with Section 9 of Arbitration & Conciliation Act, 1996, to pass an interim order of injunction restraining the respondents or their men, agents, servants or anyone else claiming through or under them from in any manner disturbing the peaceful possession and enjoyment of the owners of the respective flats including interfering with access to all common areas, amenities including lift, passage to respective blocks, Car park, EB room, Terrace and DTH Junction Boxes, Meter Room, Community hall, super market, and saloon areas by Electronics Access Card or any other manner and not to interfere in any manner with the supply of electricity, water, DTH, sewerage treatment plant, security and house keeping and not to inaugurate the Club House and not to provide promised amenities in the land gifted to the Chennai Metropolitan Development Authority in the apartment Complex known as “The Royal Castle” situated at No.92, Thirumudivakkam Village Panchayat, Sriperumbudur Taluk, Kanchipuram District pending disposal of the arbitral proceedings.

For Applicant : Ms.S.Vijayalakshmi

For Respondents : Mr.P.Dinesh Kumar
for M/s.D.Ravichander



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ORDER

Today, when the matter was taken up for hearing through video conferencing, the learned counsel appearing for the applicant submitted that, though this application has been filed seeking certain amenities as promised by the respondents, the 2nd respondent, who was maintaining the flats so far, has left, and is no longer in-charge of the flats, and therefore, nothing survives for consideration in this application.

2.The learned counsel appearing for the respondents submitted that, admittedly, the 2nd respondent was suspended on 20.01.2020 due to accumulation of huge maintenance arrears. The submission made by the learned counsel for the respondents is recorded.

3.The learned counsel for the applicant submitted that, based on such submission, this application may be closed.



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N. SATHISH KUMAR, J.

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In view of the submissions made on either side, this Original Application is closed, as no further orders are required to be passed in this matter.

12.08.2020

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

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