

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.08.2020

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

**O.A.No.939 and 940 of 2016 and
A.Nos.5510 and 5511 of 2016**

M/s LVR Farms Private Limited,
Rep. by its Managing Director,
Mr.L.R.Sivaprasad,
No.7, Seshadri Road, LVR Centre,
first floor, Alwarpet, Chennai 600 018. ... Applicant

Vs.

1. M/s Green Tree Homes and Ventures Private Ltd.
rep. by its Director Mr.Dinesh Ethiraj,
No.13, Srimansrinivasan Road,
Alwarpet, Chennai 600 018.
2. P.Ravichandran, Director,
M/s Green Tree Homes and Ventures Private Ltd.
No.8-B, Heritage, 123, Ormes Road,
Kilpauk, Chennai 600 010.
3. E.Dinesh, Director,
M/s Green Tree Homes and Ventures Private Ltd.
06, IV Floor, Bishop Wallers Avenue (s),
CIT Colony, Mylapore, Chennai 600 004.

4. Sankaranarayanan Sathyamoorthy,
Director,
M/s Green Tree Homes and Ventures Private ltd.
G-8, SNS Manor, Brunton Road,
M.G.Road, Bangalur, 560 025.
5. Angathalli Srinivasa Murthy Jagadish,
Director,
M/s Green Tree Homes and Ventures Private ltd.
2865, 4th Main F Block,
Kanakaasannagara, 3rd Stage,
Dattgalli, Mysore 570 022. Respondents

Prayer in O.A.No.939 of 2016: Application filed under Order XIV Rule 8 of Madras High Court Original Side Rules r/w Section 9(ii)(d) and (e) of the Arbitration and Conciliation Act, 1996 to grant an order or interim injunction restraining the respondents, their men, agents, servants or any other person or persons claiming under or through them from in any manner dealing with or encumbering or alienating with the schedule mentioned property more fully described in the Judge's summons either by way of sale, mortgage, lease joint development or otherwise thereby preserve the subject of the Joint Development Agreement dated 30.09.2011, pending preferring a claim by the applicant before the Arbitral Tribunal as against the respondents for damages arising out of the breach of contract committed by the respondents in relation to the said Joint Venture Agreement.

Prayer in O.A.No.940 of 2016: Application filed under Order XIV Rule 8 of Madras High Court Original Side Rules r/w Section 9(ii)(d) and (e) of the Arbitration and Conciliation Act, 1996 to grant an order or interim injunction restraining the respondents, their men, agents, servants or any other person or persons claiming under or through them from encumbering or dealing with the undivided share of the property or the constructed area in any manner prejudicial and detrimental to the interests of the applicant, either by sale/mortgage/charge/ lease or otherwise, more fully described in the schedule appended to the judge's summons, pending preferring an Arbitral claim before the Arbitral Tribunal to be constituted.

For Applicant : Mr.D.Pradeep Kumar

For Respondent : No appearance

COMMON ORDER

These original applications have been filed for grant of interim injunctions restraining the respondent from dealing with or encumbering the schedule mentioned property in any manner pending preferring a claim before the Arbitral Tribunal by the applicant.

2. These original applications have been filed seeking interim protection and preservation of the subject matter of the property and the same are pending from the year 2016. It is reported before this court that Arbitrator has already been appointed. Hence, it is open to the

applicant to approach the Arbitrator for getting appropriate orders, as per Section 17 of the Arbitration and Conciliation Act.

3. With the above observation, this original application is closed. No costs.

mst

06.08.2020

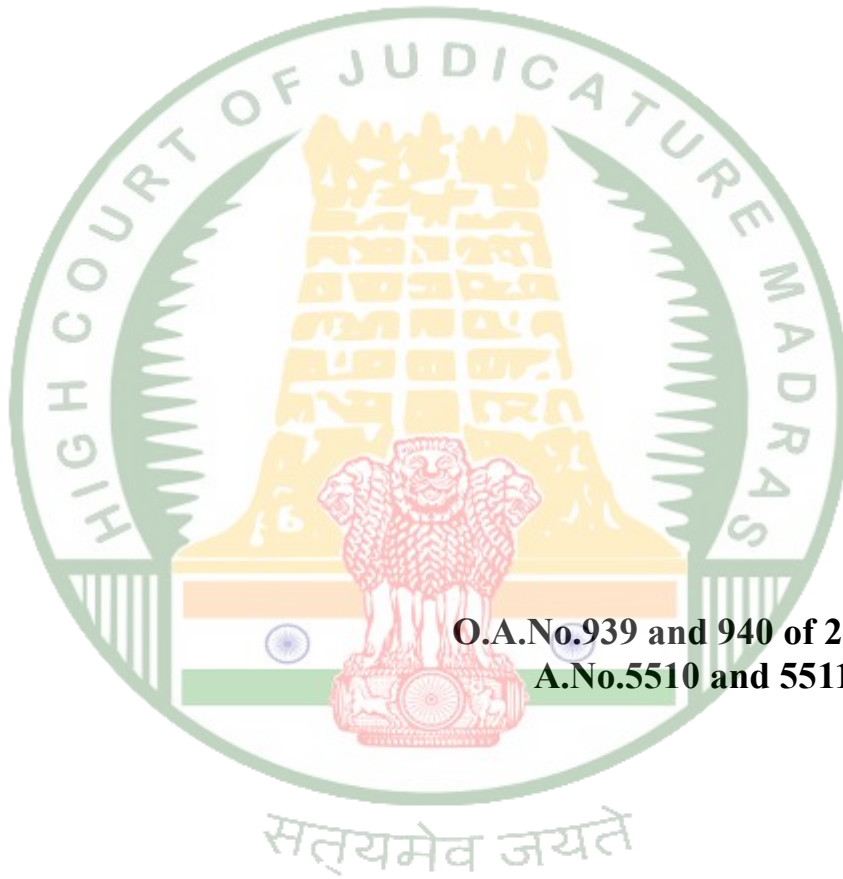


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*O.A.No.939, 940 of 2016 and
A.Nos.5510 and 5511 of 2016*

N.SATHISH KUMAR, J.

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