

O.A.No.741 of 2014
a n d
A.No.7276 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10/7/2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.A.No.741 of 2014
a n d
Application No.7276 of 2014

O.A.No.741 of 2014

M/s. Vicom Networkers Limited
Formerly known as Wireless TT Info Services Ltd
rep. By Circle Legal Head
N.Senathipathi
Having its Circle Office at
No.45 Celestial Point
(Opp to T.Nagar Bus stand)
T. Nagar
Chennai 600 017
and having its Registered Office at
D/2 5th Floor, Southern Park
Saket Palace, Saket
New Delhi 110 017.

...

Applicant

Vs

1. K. Nandagopal

2. P. Thiagarajan

...

Respondents

a n d

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P. Thiagarajan

...

Applicant

Vs

1. M/s. Vicom Networkers Limited
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New Delhi 110 017.

2. K. Nandagopal

...

Respondents

Prayer in O.A.No.741 of 2014: Application filed under Order 14 Rule 8 of Original Side Rules r/w. Section 9 (ii) (d) of Arbitration and Conciliation Act, 1996.

Prayer in A.No.7276 of 2014: Application filed under XIV Rule 8 of Original Side Rules r/w. under Order XXXIX Rule 4 of CPC.

For applicant ... Ms.Lily Francis
(O.A.No.741 of 2014)

For respondents ... Mr.R.Manickavel
(O.A.No.741 of 2014)

For applicant ... Mr.R.Manickavel
(A.No.7276 of 2014)

For respondents ... Ms.Lily Francis
(A.No.7276 of 2014) for King & Patridge

COMMON ORDER

O.A.No.741 of 2014 has been filed to grant an order of interim injunction restraining the second respondent his men, servants, agents, representatives or any person acting on its behalf from interfering with the right of access of the applicants, its employees, agents, servants, representatives, etc., from entering into the licensed premises and from causing any hindrance, obstruction and/or disturbance in the smooth functioning, maintenance, operation and upgradation of telecommunication tower infrastructure installed at the roof of No.105, 6th Cross Street, E.VP.Prabhu Avenue, Iyyapanthangal, Chennai 600 056.

2. Application No.7276 of 2014 has been filed to vacate the ex-parte interim injunction granted on 17/10/2014 in O.A.No.741 of 2014 and

dismiss the same.

3. Interim injunction has been granted on 17/10/2014, in O.A.No.741 of 2014. When this Court posed a question to the learned counsel for the applicant as to whether arbitration proceeding has been initiated or not, the answer is affirmative that no proceeding has been initiated. In such a view of the matter, this Court is of the view that Section 9 application cannot be kept pending.

4. Accordingly, O.A.No.741 of 2014 is closed. Consequently, Application No.7276 of 2014 is also closed.

Sd./-N.S.K.J
10/07/2020

//Certified to be true copy//

Dated at Madras this the day of 2020.

JJ 13/08/2020

COURT OFFICER(O.S.)

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