

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14/6/2021

C O R A M

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

O.A.Nos.94 and 95 of 2021

B. Lakshmipathi

Applicant in
both the O.As.

Vs

Colorhome Developers Private Limited
Old No.23 New No.19
“W”Block, 7th Street
Anna Nagar
Chennai 40.

Now at

37, “A”Block, 6th Street
Anna Nagar East
Chennai 102.

Respondent in
both the Oas.

Prayer in O.A.No.94 of 2021: Original Application was filed under Order XIV Rule 8 of Original Side Rules read with Section 9 (2) (d) of Arbitration and Conciliation Act, 1996, to grant an order of interim injunction restraining the respondent, their men or agents or subordinates from

disconnecting the water and drainage connection of applicant's property comprised in Villa No.75 at Kancheepattinam, Karai Village, Kancheepuram 631 522, pending disposal of Arbitration Proceedings.

Prayer in O.A.No.95 of 2021: Original Application was filed under Order XIV Rule 8 of Original Side Rules read with Section 9 (2) (d) of Arbitration and Conciliation Act, 1996, to grant an order of interim injunction restraining the respondent, their men or agents or subordinates from disturbing the applicant's peaceful enjoyment of the property comprised in Villa No.75 at Kancheepattinam, Karai Village, Kancheepuram 631 522, pending disposal of Arbitration Proceedings.

For petitioner

Mr.R.Rajaramani

For respondent

Mr.V. Manohar

COMMON ORDER

O.A.No.94 of 2021 has been filed to grant an order of interim injunction restraining the respondent, their men or agents or subordinates

from disconnecting the water and drainage connection of applicant's property comprised in Villa No.75 at Kancheepattinam, Karai Village, Kancheepuram 631 522, pending disposal of Arbitration Proceedings.

2. Original Application No.95 of 2021 has been filed to grant an order of interim injunction restraining the respondent, their men or agents or subordinates from disturbing the applicant's peaceful enjoyment of the property comprised in Villa No.75 at Kancheepattinam, Karai Village, Kancheepuram 631 522, pending disposal of Arbitration Proceedings.

3. Today, when the matters were taken up for hearing, through Video Conferencing, learned counsel appearing for the respondent submitted that arbitration has already commenced. However, the same was disputed by the learned counsel for the applicant that it is not so. In any event, such course would not be permissible for the respondent to invoke the arbitration, as per law. With regard to the interim protection relating to the amenities, the respondent would fairly submit that they will not disturb the applicant. Submission of the learned counsel for the respondent is recorded.

N.SATHISH KUMAR,J

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4. Interim injunction already granted by this Court, on 18/2/2021, is extended for a further period of three months. In the meanwhile, the applicant shall take steps to appoint an Arbitrator, to settle the dispute.

5. With the above direction, these Original Applications are closed.

14/6/2021

Index: Yes/ No
Internet: Yes/No
Speaking Order/Non-speaking Order

mvs.

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