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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 7TH DAY OF SEPTEMBER 2021

THE HON'BLE DR. JUSTICE N.SESHASAYEE

A.No.2202 of 2021
in
C.S. No.635 of 2018

1.M.Sowriath Beevi
Wo. late ohamed Ibrahim
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

2.S.Thajonisa Begum
W/o.late Seeni Mohamed
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

..Applicants/Plaintiffs

Vs.

1.M.Khaja Basheer,
S/o. Late Mohamed Ibrahim
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

2.M/s.TechNet Solution
Rep. by its prop. Mr.Baskar
Flat-A, Ground Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.



3.Mr.Duraiswamy
Flat-A, Ground Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

4.Mr.Sri Ram
Flat-A, Ground Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

5.Mr.Dinesh
Flat-B, 1st Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

6.Mr.Jeffy,
Flat-1B, 1st Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

7.Mr.Umar Khan
Flat-C, 2nd Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

8.Mr.Nazar
Flat-1C, 2nd Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.



9.Mr.Antony
Flat-2C, 2nd Floor,
Old Door Nos.4 & 5,
New Door No.9, United India Colony,
3rd Cross Street, Kodambakkam,
Chennai-24.

10.M/s.ATC Telecom Infrastructure Pvt Ltd.,
formerly known as:
M/s.VIOM NET WORK LIMITED,
having circle office at : Celestial Point,
No.45, Damodaran St., T.Nagar,
Chennai-17.

11.M/s.Ramachandran Textiles
Rep. by its Prop. Mr.Chandraprakash Sanwal
Ground Floor,
Old Door No.14, New Door No.25,
Jaya Nagar Estate layout,
Mount Poonamallee Trunk Road,
Karambakkam,
Porur, Chennai-116.

12.M/s.Soe Shopper-Footwear Show Room,
Rep. by its Proprietor Mr.Azaruddin,
Ground Floor,
Old Door No.14, New Door No.25,
Jaya Nagar Estate layout,
Mount Poonamallee Trunk Road,
Karambakkam,
Porur, Chennai-116.

13.M/s.Diagonal Cadd-Computer training Institute
Rep. by its Prop. Mr.Loganathan,
1st Floor,
Old Door No.14, New Door No.25,
Jaya Nagar Estate layout,
Mount Poonamallee Trunk Road,
Karambakkam,
Porur, Chennai-116.



14.M/s.ATC Telecom Infrastructure Pvt. Ltd.,
formerly known as: M/s.VIOM NET WORK Ltd.,
HAVING CIRCLE OFFICE AT:

Celestial point,
No.45, Damodaran St.,
T.Nagar, Chennai-17.

..Respondents/Defendants.

A.No.2202 of 2021

Application praying that this Hon'ble Court be pleased to appoint the Advocate Receiver to take possession of the A, B, C and D Schedule properties and to collect the rents and profits from the suit schedule properties and also to pay their respective rental and business income towards the share of the Applicants/Plaintiffs and 1st respondent/1st defendant after defraying the expenses towards the payment of Property Tax, Water Tax, and Water Charges, Electricity Charges and expenses incurred towards maintenance and administration of the suit properties till the disposal of the suit.

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

The learned counsel for the plaintiffs informs the Court that the matter has been amicably settled though mediation by mediator Mr.Giridhar but, the first defendant, the sole contesting defendant in the suit has not signed the proceedings of the mediator.

2.The learned counsel for the first defendant makes a statement that his client is ready and willing to sign the proceedings of the mediator but, due



to Covid-19 restrictions, the mediator could not be accessed. Secondly, in terms of the compromise arrived between the parties, the plaintiffs may have to implead the first defendant's wife and is also required to include one more property, which is not yet been done.

3.The learned counsel for the first defendant added that unless the first defendant's wife is impleaded, it may be difficult for him to sign the proceedings of the mediator.

4.The ball is right now in the court of the plaintiffs, for her to initiate necessary steps.

5.In view of these developments, A.No.2202 of 2021 is closed, however, the plaintiff is at liberty to revive it if at all a need for the same arises.

6.Post the matter on 17.09.2021.

Sd/- NSSJ
07.09.2021

// Certified to be true copy//

Dated at Madras this day of 2021.

Court Officer(O.S.)

From 25th day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

Jj 15/09/2021