



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 23RD DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

A.Nos.1648 and 1649 of 2021

and

A.Nos.1870 and 1871 of 2021

and

A.No.980 of 2021

in

C.S.No.90 of 2021

The Indian Officers Association,
(Reg. No.2/1909/1910)
Rep. by its General Secretary
Mr.R.Karpooora Sundarapandian
Centenary Building,
New No.69, Old No.35,
Thiru.Vi.Ka.High Road,
Royapettah, Chennai-600 014.

..Applicant/Plaintiff
(A.No.980 of 2021)

Vs

1.M/s.Modfurn Systems (India) Pvt. Ltd.,
Rep. by its Director,
No.69, (Old No.35)
Thiru.Vi.Ka.High Road,
Royapettah, Chennai-600 014.

2.M/s.Jayabharatham Furniture & Appliances Pvt. Ltd,
Rep. by its Director,
No.69, (Old No.35)
Thiru.Vi.Ka.High Road,
Royapettah, Chennai-600 014.

..Respondents/Defendants
(A.No.980 of 2021)



A.No.980 of 2021

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Application praying that this Hon'ble Court be pleased to direct the respondents/defendants to furnish security for the suit claim of Rs.1,64,70,579/- (one crore sixty four lakhs seventy thousand five hundred and seventy nine only) within a time frame failing which order for attachments of the movables, ornamental displays, office utilities, equipment, stock in trade and interiors of the premises belonging to the respondents/defendants pending disposal of the above suit.

A.No.1648 of 2021 and A.No.1870 of 2021

M/s.Jayabharatham Furniture & Appliances Pvt. Ltd,
Rep. by its Director,
No.69, (Old No.35)
Thiru.Vi.Ka.High Road,
Royapettah, Chennai-600 014.

..Applicant/2nd Defendant

Vs

The Indian Officers Association,
(Reg. No.2/1909/1910)
Rep. by its General Secretary
Mr.R.Karpoora Sundarapandian
Centenary Building,
New No.69, Old No.35,
Thiru.Vi.Ka.High Road,
Royapettah, Chennai-600 014.

..Respondent/Plaintiff

A.No.1648 of 2021

<https://hcservices.ecourts.gov.in/hcservices/> Application praying that this Hon'ble Court be pleased to reject the

Plaint as the Complaint filed in CS.No.90 of 2021 does not disclose the cause of



action.

A.No.1870 of 2021

Application praying that this Hon'ble Court be pleased to vacate the interim order to furnish security vide order dated 10/03/2021 in Application No.980 of 2021 in C.S.No.90 of 2021.

A.No.1649 of 2021 and A.No.1871 of 2021

M/s.Modfurn Systems (India) Pvt. Ltd.,
Rep. by its Director,
No.69, (Old No.35)
Thiru.Vi.Ka.High Road,
Royapettah, Chennai-600 014.

..Applicant/1st Defendant

Vs

The Indian Officers Association,
(Reg. No.2/1909/1910)
Rep. by its General Secretary
Mr.R.Karpooora Sundarapandian
Centenary Building,
New No.69, Old No.35,
Thiru.Vi.Ka.High Road,
Royapettah, Chennai-600 014.

..Respondent/Plaintiff

A.No.1649 of 2021

Application praying that this Hon'ble Court be pleased to reject the
Plaint as the Complaint filed in CS.No.90 of 2021 does not disclose the cause of
action.



A.No.1871 of 2021

WEB COPY

Application praying that this Hon'ble Court be pleased to vacate the interim order to furnish security vide order dated 10.03.2021 in Application No.980 of 2021 in C.S.No.90 of 2021.

These Applications coming on this day before this court for hearing, the Court made the following order:

A.No.1648 of 2021 has been filed by the second defendant in the suit and A.No.1649 of 2021 has been filed by the first defendant in the suit seeking for rejection of the plaint in C.S.No.90 of 2021.

2. Applications have been filed on the ground that the defendants 1 and 2 in the suit are separate legal entities and without obtaining leave from this Court, the plaintiff has filed the suit in respect of separate agreement for lease entered into by the plaintiff with the defendants 1 and 2. It is also the case of the defendants 1 and 2 that the amount claimed in the suit does not tally with the statement filed by the plaintiff along with the plaint. According to the defendants 1 and 2, there are several discrepancies in the plaint and the plaint allegations are also not supported by documents.

Under the aforementioned circumstances, rejection of the plaint has been sought for.



3. Learned counsel for the applicants/defendants 1 and 2 drew the attention of this Court to various documents filed along with the plaint as well as the plaint averments.

4. After hearing for quite some time, learned counsels appearing for the plaintiff as well as the defendants agree that all the interlocutory applications can be ordered to be closed, giving liberty to the respective parties to raise the contentions therein in the main suit.

5. After recording the statements made by the respective counsels, all the interlocutory applications, which are pending in the suit, namely, A.Nos.980, 1648, 1649, 1870, 1871 of 2021 is ordered to be closed.

6. The defendants are directed to file their written statement within a period of three weeks from today.

7. Post the suit before this Court on 14.12.2021.

Sd/-A.Q.J
23.11.2021

// 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.

30/11/2021