



WEB COPY

1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 15TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.A. Nos.265 & 266 of 2021

In the matter of Section 9 of the
Arbitration and Conciliation Act, 1996
and

In the matter of Arbitration of disputes
arising out of Lease deed dated
21.04.2011.

Michelin India Private Limited,
(formerly known as Michelin India Tamil Nadu Tyres Pvt. Ltd.,)
Represented herein by its Executive Director
Having its office at
Shyamala Tower 3rd Floor,
136, Arcot Road, Chennai 600 093.

.... Applicant/Applicant

Vs.

State Industries Promotion Corporation of Tamil Nadu Limited
Represented by its Managing Director
Having its office at
19-A, Rukmani Lakshmipathy Road,
Post Box No.7223, Egmore, Chennai 600 008. : Respondent/Respondent

O.A.No.265 of 2021:-

Original Application praying that this Hon'ble Court be pleased to
grant an order of interim injunction restraining the respondent or any other
person claiming through or under the respondent in any manner from
disturbing the peaceful possession of the respondent over the 290 acres of



pursuant to the wrongful cancelation of the part of the allotment that is to the extent of unidentified 60 acres land in Plot A-1, SIPCOT Industrial Park at Thervoykandigai pending disposal of the Arbitration.

O.A.No.266 of 2021:-

Original Application praying that this Hon'ble Court be pleased to grant an order of interim injunction restraining the respondent or any other person claiming through or under the respondent from taking any coercive steps including resuming 60 acres of land pursuant to the wrongful cancelation of the part of the allotment that is to the extent of unidentified 60 acres land in Plot A-1, SIPCOT Industrial Park at Thervoykandigai until disposal of the Arbitration.

These Original applications coming on this day before this court for hearing in the presence of Mr.M.S.Krishnan, Senior Counsel for Mr. C.R.Ajith, Advocates for the Applicant in both original applications and Mr.M.Karthikeyan, Standing counsel for the respondent in both original applications and upon reading the order herein dated 12.07.2021, it is ordered as follows:-

That the order of interim injunction granted in pursuance of the order dated 27.04.2021 made in O.A.Nos. 265 and 266 of 2021, restraining the respondent therein, from taking possession of the excess land alone, be and

<https://hcservices.ecourts.gov.in/hcservices/>
is hereby extended for a further period of three months from this date.



2. That before the expiry of such period, it is open for the applicant to move before the Arbitrator for similar relief, under section 17 of the Arbitration and Conciliation Act, 1996.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
15th DAY OF JULY 2021.

Sd./-

ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the 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.



WEB COPY

SK-22.07.2021

4

O.A. Nos.265 & 266 2021

ORDER :-
DATED : 15.07.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 26.07.2021

APPROVED ON:27.07.2021



WEB COPY

5

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15/7/2021

C O R A M

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

O.A.Nos.265 and 266 of 2021

Michelin India Private Limited
(formerly known as Michelin India
Tamil Nadu Tyres Pvt Ltd)
rep. By its Executive Director
Having its office at
Shyamala Tower, III Floor
136 Arcot road
Chennai 600 093.

...

Applicant in both the
Original Applications.

Vs

State Industries Promotion Corporation
of Tamil Nadu Limited
rep. By its Managing Director
Having its Office at
19 A Rukmani Lakshmipathy Road
Post Box No.7223
Egmore
Chennai 600 008.

...

Respondent in both the
Original Applications

Prayer in O.A.No.265 of 2021: Original Application has been filed under Order XIV Rule 8 of Original Side Rules read with Section 9 of the Arbitration and Conciliation Act, 1996, to grant an order of interim injunction restraining the respondent or any other person claiming through or under the respondent in any manner from disturbing the peaceful possession of the respondent over the 290 acres of land leased to the



respondent under the lease deed dated 21/4/2011 pursuant to the wrong cancellation of the part of the allotment that is to the extent of unidentified 60 acres of land in Plot A-1, SIPCOT Industrial Park at Thervoykandigai pending disposal of the Arbitration.

Prayer in O.A.No.266 of 2021: Original Application has been filed under Order XIV Rule 8 of Original Side Rules read with Section 9 of the Arbitration and Conciliation Act, 1996, to grant an order of interim injunction restraining the respondent or any other person claiming through or under the respondent from taking any coercive steps including resuming 60 acres of land pursuant to the wrongful cancellation on the part of the allotment that is to the extent of unidentified 60 acres of land in Plot A-1, SIPCOT Industrial Park at Thervoykandigai until disposal of the Arbitration.

For applicant	...	Mr.M.S.Krishnan Senior Counsel for Mr.C.R.Ajith
For respondent	...	Mr.M.Karthikeyan Standing Counsel

COMMON ORDER

Original Application No.265 of 2021 has been filed to grant an order of interim injunction restraining the respondent or any other person claiming through or under the respondent in any manner from disturbing the



the respondent under the lease deed dated 21/4/2011 pursuant to the wrong cancellation of the part of the allotment that is to the extent of unidentified 60 acres of land in Plot A-1, SIPCOT Industrial Park at Thervoykandigai pending disposal of the Arbitration.

2. Original Application No.266 of 2021 has been filed to grant an order of interim injunction restraining the respondent or any other person claiming through or under the respondent from taking any coercive steps including resuming 60 acres of land pursuant to the wrongful cancellation on the part of the allotment that is to the extent of unidentified 60 acres of land in Plot A-1, SIPCOT Industrial Park at Thervoykandigai until disposal of the Arbitration.

3. Heard Mr.M.S.Krishnan, learned Senior Counsel for the petitioner and Mr.M.Karthikeyan, learned Standing Counsel for the respondent.

4. Vide, order dated 27/4/2021, this Court had granted an order of interim injunction for taking possession of the excess land alone till 3/6/2021. Subsequently, interim injunction granted was extended.

5. Interim injunction already granted is extended for a further period



of three months from today. Before the expiry of such period, it is open for the applicant to move before the Arbitrator for similar relief, under Section 17 of the Arbitration and Conciliation Act, 1996.

Sd./-(N.S.K.J.,)

15/7/2021

//Certified to be true copy//

Dated at Madras this the 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.