

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) No.1553 of 2020
and C.M.P. No.9306 of 2020

M/s.M.B.B.Group of Hotels,
Represented by its Managing Partner,
M.B.Haja Buhari,
Son of Basheer Buhari,
C.59, C Block,
1st Main Road, Anna Nagar (East),
Chennai - 600 102.

Petitioner /
Plaintiff

versus

1.Dr.N.M.Veeraiyan
2.Dr.N.M.Veeraiyan (HUF)
Represented by its Karta
The 1st petitioner
3.Saraswathy Veeraiyan
4.Dr.V.Deepak Nallasamy

Respondents /
Defendants

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to set aside the order and decretal order in I.A.No.2 of 2020 in O.S.No.2135 of 2020 on the file of the XIV Assistant City Civil Court, Chennai, dated 07.08.2020 and thereby allowing the petition under Section 8 of the Arbitration and Conciliation Act, 1996.

For Petitioner : M/s.R.Sripriya

For Respondents : Mr.S.Saravanan

ORDER

This Civil Revision Petition is filed to set aside the order dated 07.08.2020 in I.A.No.2 of 2020 in O.S.No.2135 of 2020 passed by the learned XIV Assistant Judge, City Civil Court, Chennai.

2. I.A.No.2 of 2020 was filed under Section 8 of the Arbitration and Conciliation Act, 1996 to refer the parties to the suit to arbitration as contemplated under Clause VI of the Licence Agreement dated 01.08.2018 and that petition was allowed. Aggrieved against this order, the present Civil Revision Petition is filed.

3. The learned counsel for the respondents submitted that, in a Writ Petition filed in W.P.No.13340 of 2020 between the same parties, there was a compromise reached and the petitioner agreed to vacate the premises, within a period of 6 months and hand over the key to the respondents. In this regard, an affidavit was filed by the petitioner in W.P.No.13340 of 2020 on 05.08.2021.

4. The learned counsel for the petitioner and learned counsel for the respondents submitted that, since there is a settlement reached between the parties, nothing survives in this Civil Revision Petition and prayed for passing orders by relying the memo filed in this Civil Revision Petition. Memo dated 12.08.2021 is also filed in this Civil Revision Petition narrating the settlement entered into between the parties in W.P.No.13340 of 2020.

5. Recording the said memo, this Civil Revision Petition is dismissed, as it becomes infructuous. The memo dated 12.08.2021, shall form part of this order. Consequently, connected Miscellaneous Petition is closed. However, there is no order as to costs.

16.08.2021

Speaking order / Non-speaking order
Index : Yes / No

sri

G.CHANDRASEKHARAN, J.

sri

To

3/4

The XIV Assistant Judge,
City Civil Court, Chennai.



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