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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

OSA (CAD) Nos.65 and 66 of 2021

M/s.Lyca Productions Private Limited,
rep. by its Director Neelakant Narayanpur,
No.55, Vijayaraghava Road,
T.Nagar,
Chennai - 600 017.

...Appellant in
both appeals

Vs.

S.Shankar

...Respondent in
both appeals

Prayer: Appeals filed under Order XXXVI, Rule 1 of O.S. Rules and under Section 13(1) of the Commercial Courts Act read with Clause 15 of the Letters Patent against the order dated 02.07.2021 made in Application No.2043 of 2021 in Original Application No.211 of 2021 and Original Application No.212 of 2021 on the file of the Original Side of this Court.

For the Appellant	: Mr.AR.L.Sundaresan Senior Counsel for M/s.R.Prabhakaran
For the Respondent	: Mr.P.S.Raman Senior Counsel for M/s.D.Saikumaran



COMMON JUDGMENT

(Delivered by the Hon'ble Chief Justice)

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The appellant submits that the appeals may no longer be proceeded with since the arbitral reference has commenced in right earnest and applications for interim measures have been filed or orders already obtained from the arbitral tribunal.

2. It is further submitted by the appellant that the same orders as sought herein may not be sought before the Arbitrator.

3. Accordingly, OSA (CAD) No.65 of 2021 and OSA (CAD) No.66 of 2021 are disposed of without going into the merits of the matter. It is also recorded that the appellant submits that a similar injunction restraining the respondent from taking up any directorial venture with any third party will not be sought in course of the arbitral reference. The appellant submits that in respect of other interim measures sought, the arbitral tribunal should not place undue reliance on the observations in the orders impugned herein.

4. In view of the above, nothing remains of the matters. CMP Nos.13617, 13619, 13621 and 13624 of 2021 are closed.

There will be no order as to costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

bbr

To:

The Sub Assistant Registrar,
Original Side,
High Court of Madras.

+2ccs to Mr.D.Saikumaran, Advocate, S.R.No.56095, 56096

OSA (CAD) Nos.65 and 66 of 2021

GSM(CO)
KKV/02/11/2021