



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2022

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

W.P.No.28257 of 2010
and M.P.Nos.1 & 2 of 2010

M.Palanichami

...Petitioner

Vs

1.Union of India,
Rep. by Secretary to Government,
Law Department,
New Delhi.

2.The Secretary to Government,
Law Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009.

3.Jothi Agencies,
Rep. by Mr.Naveen Jothi,
No.38, Arani Road,
Sainathapuram,
Vellore - 632 001.

4.Judicial Magistrate,
No.1, Vellore.

5.Reliance Media World Work,
No.401, 4th Floor,
Infinity Link Road,
Oshiwara, Antheir West,
Mumbai - 400 053.

6.Reliance Media World Work,
Azam Arcade,
152/153, Kodambakkam High Road,
Nungambakkam, Chennai - 600 034.

7.Metropolitan Magistrate Court,
Andheri,
Mumbai - 400 060.

... Respondents



Prayer Writ Petition filed under Section 226 of the Constitution of India, praying for the issuance of Writ of Declaration, declaring that when the jurisdiction with regard to the settlement of dispute is restricted between the parties by an agreement at Chennai, proceeding launched by the respondents 3 and 5 outside the agreed jurisdiction before the respondents 4 and 7 is not valid and binding in so far as the petitioner is concerned.

For Petitioner : No Appearance

For R2 : Mr.T.Venkatesh Kumar
Special Government Pleader

For R5 & R6 : Ms.P.Meghana Nair

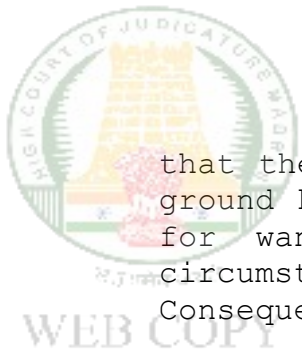
ORDER

This Writ Petition is filed seeking for a declaring that when the jurisdiction with regard to the settlement of dispute is restricted between the parties by an agreement at Chennai, proceeding launched by the respondents 3 and 5 outside the agreed jurisdiction before the respondents 4 and 7 is not valid and binding in so far as the petitioner is concerned.

2.When the matter is taken up for hearing, none appeared on behalf of the petitioner.

3.The learned counsel appearing for the respondents 5 and 6 submitted that there was civil dispute between the parties and the same was settled out of Court and Memorandum of Compromise dated 08.04.2014 was also filed before the Court and this Court decreed the suit in C.S.No.342 of 2012 on 08.04.2014 in terms of Memorandum of Compromise dated 08.04.2014. Therefore, according to the respondents nothing survives for further adjudication.

4.Considering the submission made by the learned counsel appearing for the respondents 5 and 6, this Court is of the view



that the relief sought for by the petitioner can be raised as a ground before the concerned Civil Court for rejection of plaint for want of jurisdiction. Considering the totality of the circumstances, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

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To:

1. Secretary to Government,
Union of India,
Law Department,
New Delhi.
2. The Secretary to Government,
Law Department,
Government of Tamil Nadu,
Secretariate, Fort St. George,
Chennai - 600 009.

+1cc to the Government Pleader, SR.No.15915

W.P.No.28257 of 2010

NK(CO)
CB(06/04/2022)