

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 09TH DAY OF FEBRUARY 2022

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.A.No.412 of 2021

in

C.S.No.223 of 2021

Kumararani Tmt. Meena Muthiah
W/o. Late Kumararajah Sri.M.A.M.Muthiah
Chettinad House, Raja Annamalaipuram,
Chennai 600 028.

: Applicant/Plaintiff

-Versus-

1. Rajah Muthiah Chettiar Charitable and
Educational Trust
Represented by its Trustee
Rani Seethai Hall Building
No.603, Anna Salai,
Chennai 600 006.

2. Dr.MAM Ramaswamy Chettiar of Chettinad Charitable Trust
Rep.by its Managing Trustee Dr.A C Muthiah
Having its registered office at
Chettinad House,
Rajah Annamalaipuram,
Chennai 600 028.

3. Mr.M.A.M.Annamalai
S/o.Late Kumararajah Sri.M.A.M.Muthiah
Chettinad House
Raja Annamalaipuram
Chennai 600028.

4. Mr.M.A.M.R.Muthiah,
S/o.Sekappa Chettiar,

Chettinad House,
Rajah Annamalaipuram,
Chennai 600 028.

5. Chettinad Logistics Private Ltd.,
Rep.by its Director
Rani Seethai Hall Building,
No.603, Anna Salai,
Chennai 600 006.

6. Kumararajah Muthiah School of Traditional Arts
and Crafts
Chettinad House,
Raja Annamalaipuram,
Chennai 600 028.

: Respondents/Defendants

Application praying that this Hon'ble Court be pleased to grant interim injunction restraining the Respondents 1, 4 and 5 herein or anyone claiming under them from in any manner putting up any construction or carry on any activity in suit 'C' schedule property morefully described in the judges summons, pending disposal of the above suit.

This Original Application along with the O.A.No.334 of 2021 and A.No.1831 of 2016 in C.S.No.198 of 2016 having been heard on 20.01.2022 in the presence of Mrs.Chitra Sampath, Senior Counsel for Mrs.A.L.Ganthimathi, Advocates for the applicant herein and Mr.M.S.Krishnan, Senior Counsel for Mr.M.M.Praveenkumar, Advocates for the 1st respondent and Mr.R,Srinivas for Mr.S.Sithirai Anandam,

Advocate for the 2nd respondent herein and Mr.V.Raghavachari, Senior Counsel for Mr.T.Balaji Advocates for the 4th respondent herein and Mr.T.Mohan, Senior Counsel for M/s.Abinav Parthasarathy, Advocates for the 5th respondent herein and upon reading the Judges Summons and the Affidavit of Kumararani Tmt.Meena Muthiah filed herein and having stood over for consideration till this date and coming on this day before this Court for orders in the presence of said advocates for the parties hereto and this Court is of the considered view that no prima facie case has been made out by the plaintiff in C.S.No.223 of 2021 and the 6th defendant Society for the grant of any interim injunction in their favour in respect of the suit C schedule property and the plaintiff trust in C.S.No.198 of 2016 admits only the possession of suit B schedule property by the sixth defendant Society in C.S.No.223 of 2021 which is running the school Chettinad Vidhyasharam and manage by the plaintiff in C.S.No.223 of 2021 and the relief sought for in O.A.No.334 of 2021 in CS.No.198 of 2016 and O.A.No.412 of 2021 in CS.No.223 of 2021 cannot be granted at the interlocutory stage, as evidence placed on record by the plaintiff in CS.No.223 of 2021 and the 6th defendant Society does not deserve any merit for the grant of interim injunction as prayed for in these applications,

It is ordered as follows:-

That the O.A.Nos.412 of 2021, be and is hereby dismissed.

2. That there shall be no costs.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH
BHANDARI ACTING CHIEF JUSTICE, THE HIGH COURT AT
MADRAS AFORESAID, THIS THE 09th DAY OF FEBRUARY 2022.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies
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KY

27.04.2022

O.A.No. 412 of 2021
in
C.S.No.223 of 2021

ORDER

DATED: 09.02.2022

THE HON'BLE MR.JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 28.04.2022

APPROVED ON: 28.04.2022