



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 13th DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE M.SUNDAR

O.P.No.541 of 2017

O.P.No.541 of 2017:-

In the matter of Arbitration &
Conciliation Act, 1996
and

In the matter of M/s Hiranandani
Palace Gardens Pvt Ltd, M/s.Palace
Gardens Chennai SEZ Pvt Ltd,
M/s.Green Habitats Pvt Ltd., and
M/s Evita Constructions Private Ltd.,

Smt.C.N.Parvatha Vardhini,
W/o V.K.Jagannathan,
Grass Land, Block-I,
Flat – D 4, No.98,
Mount Poonamallee High Road,
Porur, Chennai 600 116.

... Petitioner

Vs.

1.M/s Hiranandani Palance Gardens Pvt Ltd,
No.514, Dalamal Towers,
Nariman Point,
Mumbai – 400 021.

2.M/s Palace Gardens Chennai SEZ Pvt Ltd,
No.514, Dalamal Towers,
Nariman Point,
Mumbai – 400 021.



3.M/s Green Habitats Pvt Ltd,
No.514, Dalamal Towers,
Nariman Point,
Mumbai – 400 021.

4.Evita Constructions Private Limited,
No.514, Dalamal Towers,
Nariman Point,
Mumbai – 400 021.

... Respondents

Original Petition praying that this Hon'ble Court be pleased to

(i) Appoint an impartial and independent Arbitrator under the Arbitration Act 1996 and decide the claims detailed in paragraph 14 above.

(ii) Direct the respondents to pay the costs of this petition and the arbitration proceedings;

This Original Petition along with O.P.No.542 of 2017 coming on this day before this court for hearing in the presence of Mr.Youvaraj.K for Ms.S.Kala, Advocates for the Petitioner herein, and Mr.T.M.Mano for Mr.Sharath Chandran, Advocates for the 1st and 3rd respondents herein, and upon reading the petition filed herein, and the order herein dated 22.10.2018, and the counsel for the petitioner having submitted that the petitioner in captioned OP have instructed the counsel to withdraw the captioned OP as the same have been settled out of court, and also made an endorsement on the petition stating that May be permitted to withdraw, it

is ordered as follows:-



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That the O.P.No.541 of 2017 do stand closed as withdrawn/settled out of court.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 13th DAY OF JUNE 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 of the Orders/Judgments/Decrees in this format.



WEB COM MU

20.06.2022

O.P.No.541 of 2017

ORDER:-

DATED: 13.06.2022

THE HON'BLE MR. JUSTICE

M.SUNDAR

FOR APPROVAL: 05.07.2022

APPROVED ON : 07.07.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HON'BLE Mr.JUSTICE **M.SUNDAR**

O.P.No.541 & 542 of 2017

Smt.C.N.Parvatha Vardhini,
W/o.V.K.Jagannathan,

... Petitioner in O.P.No.541 of 2017

1. Pravish Kappakadavath,
S/o.Viswanathan Kappakadavath.

2. Adithi V Jagannathan,
W/o.Pravish Kappakadavath.

...Petitioners in O.P.No.542 of 2017

Vs.

1. M/s.Hiranandani Palace Gardens Pvt Ltd,
No.514, Dalamal Towers,
Nariman Point,
Mumbai 400 021.

2. M/s.Palace Gardens Chennai SEZ Pvt Ltd,
No.514, Dalamal Towers,
Nariman Point,
Mumbai 400 021.

3. M/s.Green Habitats Pvt Ltd,
No.514, Dalamal Towers,
Nariman Point,
Mumbai 400 021.

4. Evita Constructions Private Limited,
No.514, Dalamal Towers,
Nariman Point,
Mumbai 400 021.

... Respondents in both OPs



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Prayer in O.P.No.541 of 2017: Original Petition filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 to appoint an impartial and independent Arbitrator under the Arbitration Act, 1996 and decide the claims detailed in Paragraph 14 above; and direct the respondents to pay the costs of this petition and the arbitration proceedings.

Prayer in O.P.No.542 of 2017: Original Petition filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 to appoint an impartial and independent Arbitrator under the Arbitration Act, 1996 and decide the claims detailed in Paragraph 13 above; and direct the respondents to pay the costs of this petition and the arbitration proceedings.

For Petitioners
in both OPs : Mr.Youvaraj.K
for Ms.S.Kala

For Respondents
in both OPs : Mr.T.M.Mano
for Mr.Sharath Chandran
for R1 and R3

COMMON ORDER

Counsel for petitioners submit that the petitioners in both captioned

OPs have instructed the counsel to withdraw the captioned OPs as the same

<https://hcservices.ecourts.gov.in/hcservices/>

have been settled out of Court. Communications in this regard have been



filed before this Court and a scanned reproduction are as follows:

WEB COPY

Mrs. S.KALA, 28c, M.L., V.K.L.R.
ADVOCATE
NO. 1, SRI SIVA TEMPLE, FIRST FLOOR,
KANNAY STREET, SATEENA GARDEN,
BALCHANDRA, CHENNAI - 600030.
PL.99-782613
EMAIL: s.k.law@rediffmail.com

Date: 25.05.2022

To: The Registrar (General)
High Court, Madras
Chennai - 600

Sir:

Re: Withdrawal of suit - reg.

Ref: 1. O.P.No.543 of 2017
2. O.P.No.542 of 2017
On the file of the Hon'ble Madras High Court, Chennai

Shri. C.S.Pandey Vaidya	Petitioner
Shri. C.S.Pandey Vaidya	Respondent
Shri. C.S.Pandey Vaidya	Petitioner
Shri. C.S.Pandey Vaidya	Respondent

The above OP has been filed by the Petitioner, for appointment of arbitrator. The Petitioner has written a letter to withdraw the above OP No. 543 of 2017 and 542 of 2017. So I kindly request you to direct the Registry to post the above suit matters before the Judge concerned for withdrawal. I enclosed the letter of 07.04.2022 and 30.04.2022 and a mail sent to me, separately.

Thank you

Yours truly,
S.KALA

Ann: 1. Letter of The Petitioner in OP No.543 of 2017 Dated 07.04.2022.
2. Letter of The Petitioner in OP No.542 of 2017 Dated 30.04.2022.
3. Email of the Petitioner dated 30.04.2022

Handwritten notes on the left margin:
1. O.P. No. 543 of 2017
2. O.P. No. 542 of 2017
3. O.P. No. 543 of 2017
4. O.P. No. 542 of 2017
5. O.P. No. 543 of 2017
6. O.P. No. 542 of 2017
7. O.P. No. 543 of 2017
8. O.P. No. 542 of 2017
9. O.P. No. 543 of 2017
10. O.P. No. 542 of 2017



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Date: 07-04-2022

From:

Pravish Kappakadavath and
Azhai V. Jayaraman

To:

Mrs S.KALA
Advocate
No.1, Kakkanji Street,
Sathya Garden,
Seligramam, Chennai - 93

Madam:

Sub: Withdraw the case - Reg
Ref: O.P.No. 542/2017

Pravish Kappakadavath Vs. M/s Hiranandani Palace

The above matter is settled out of Court. Therefore, take steps to
withdraw the case as early as possible.

Thank you.

Yours truly

1. Pravish
07-04-2022
2. Azhai
07-04-2022



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Date: 30.04.2022

From

Smt.C.N.Parvatha Vardhini,
W/o. V.K. Jagannathan,
Grassland, Block -I, Flat-D 4, No.96,
Mount Poosumallee High Road,
Porur, Chennai 600 116.

To

Mrs.S.KALA
Advocate
No.1, Kakkannji Street,
Sathya Garden,
Saidapam, Chennai - 93

Madam

Sub: Withdraw the case - Reg

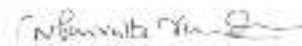
Ref: O.P.No. 541/2017

Smt. C.N.Parvatha Vardhini Vs. M/s Hirsandani Palace

The above matter is settled out of Court. Therefore, take steps to
withdraw the case as early as possible.

Thank you

Yours truly


C.N.Parvatha Vardhini



WEB COPY

Fwd: Withdraw the case – Reg

From: Rithwik V J (vjtthwik@gmail.com)

To: <sk_investigator@yahoo.com>

Date: Tuesday, April 26, 2022, 10:14 AM GMT+5:30

Regards,
Rithwik V J.

----- Forwarded message -----
From: Pravish <pravish.k@gmail.com>
Date: Wed, Apr 20, 2022 at 10:09 AM
Subject: Withdraw the case – Reg
To: <sk_investigator@yahoo.com>

To
Mrs. S. KALA
Advocate
No.1, Kakkani Street,
Sathya Garden,
Saligramam, Chennai - 93

Madam

Subj: Withdraw the case – Reg

Ref: O.P.No. 542/2017

Pravish Kappakadaveth Vs. M/s H.ariandam Palace

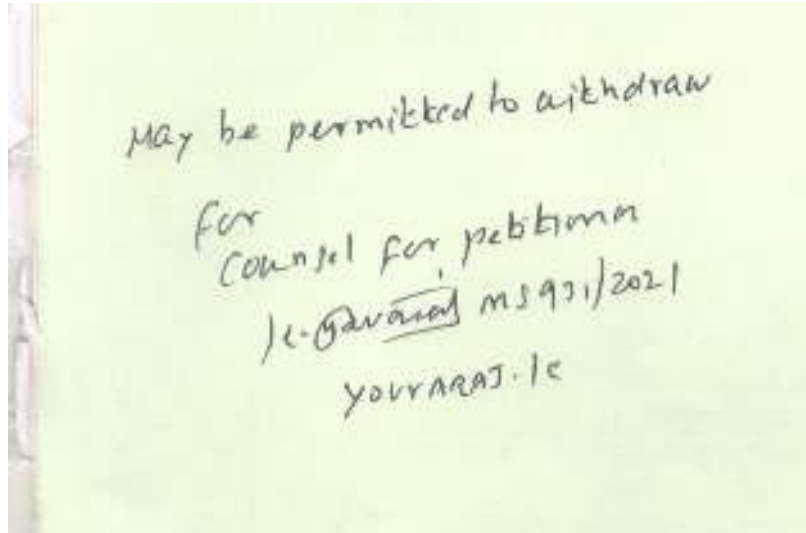
The above matter is settled out of Court. Therefore, take steps to
withdraw the case as early as possible.

Thank you

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2. Be that as it may, Mr.K.Youvaraj, learned counsel has made endorsement in the case files, which read as follows:



3. In the light of the aforementioned narrative, captioned matters are closed as withdrawn/settled out of Court.

Sd./-M.S.J.
13.06.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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