



C.R.P. No.2969 of 2023

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T.V.THAMILSELVI, J.

This matter is taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for the revision petitioner.

2. Heard the contentions of learned counsel for revision petitioner as well as respondents and perused the order.

3. The learned counsel for Revision Petitioner would submit that this Court by an order dated 01.11.2023 disposed of the above C.R.P.. However, the learned counsel would submit that having an order of interim injunction granted by this court on 01.09.2023, it was not mentioned in the earlier order of this court. Accordingly, the matter is listed today.

4. The learned counsel for respondent would submit that the interim injunction is only pertaining to schedule of property as mentioned in the suit in O.S.No. 4140 of 2023, which is extracted hereunder :-



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SCHEDULE OF PROPERTY

All that piece and parcel of land and building situated at No.27/1, J.N.Road, 100 feet Road, Koyambedu, Chennai-600 107 comprised in R.S.No. 121/1, part and 123/5 part, which is consisting of ground floor to an extent of 1270 sq.ft. and first floor to an extent of 2023 sq.ft., the total extent of 3300 sq.ft. of the Restaurant portion.

5. On perusal of the order dated 01.09.2023, this court held as follows :-

“Till such time, there shall be an order of interim injunction restraining the respondents from interfering with the peaceful running of the petitioner business in the schedule mentioned property in O.S.No.4140 of 2023 on the file of III Asst. City Civil Court, Chennai.”

6. Considering both side submissions, at the end of para 4 of the order, it shall be added as follows :-

“The order of interim injunction granted by this court on 01.09.2023 is to be maintained for the period of two months from the date of receipt of this order pertaining to the suit



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property as described in the plaint schedule in O.S.No.4140 of 2023.”

7. Furthermore, in so far as Civil Miscellaneous Petitions are concerned, the respondents filed a petition in C.M.P.No. 21004 of 2023 praying to amend the cause title in C.M.P.No. 18339 of 2023 from

“Mr. E. Sivakumar .. Petitioner/Plaintiff

Vs.

1. M/s.Pentagon Inn,
rep. by its Partner
Mr. T.Kishore

2. Mr. T.Kishore
3. Mrs.T.Vasundra .. Respondents/Defendants

To

Mr. E. Sivakumar .. Petitioner/Plaintiff

Vs.

1. M/s.Pentagon Inn,
rep. by its Partner
Mrs. T.Vasundra

2. Mr. T.Kishore, rep. by his power agent Mrs.T.Vasundra
3. Mrs.T.Vasundra .. Respondents/Defendants”



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In so far as Civil Miscellaneous Petition No.21005 of 2023 is concerned, the respondents filed a petition praying to recognise M.S.Vasuundra, 3rd petitioner/respondent as power agent of petitioners 1 and 2 to appear and represent the 1st and 2nd petitioners/respondents in the above proceedings in pursuant to the specific Power of Attorney deed dated 01.05.2023.

8. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit, both petitions are allowed. Registry is directed to carry out necessary amendment in the cause title and the 3rd petitioner/respondent is permitted to represent on behalf of petitioners 1 and 2.

9. Registry is directed to incorporate above correction in the Order of this Court in C.R.P.No. 2969 of 2023 dated 01.11.2023 and issue fresh order copy to the Revision Petitioner.

17.11.2023

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17.11.2023