



C.M.A.No.424 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

C.M.A.No.424 of 2024

and

C.M.P.No.4546 of 2024

1.Yokesh M.U.

2.Mohan Babu

...Appellants

Vs.

EVP Rajeshwari Palace,
Rep. by Mrs.Sanmitha Narayanan,
C/o. E.V.Perumalswamy Reddy,
No.23, Thiyagaraya Road, Pondy Bazar,
T.Nagar, Chennai - 600017.

...Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 37 of the Arbitration and Conciliation Act, against the dismissal order dated 27.01.2024 passed in Application I.A.No.2 of 2023 in Arb.O.A.No.628 of 2023 on the file of the Sole Arbitrator, Chennai.

For Appellants : Mr.R.S.Mohan



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J U D G M E N T

(Judgment of the Court was made by **R.SUBRAMANIAN, J.**)

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Challenge is to the order passed by the Arbitrator under Section 17 Arbitration and Conciliation Act, dismissing the application filed by the applicants seeking an order of injunction restraining the respondents from interfering with the conduct of functions in the marriage hall that has been leased out to the applicants by the respondent.

2.A perusal of the affidavit filed in support of the application does not disclose any *prima facie* case. Though the learned counsel for the appellants would submit that there was an attempted interference which resulted in a police complaint and police also visited the Kalyana Mandapam, the same are not borne out in the affidavit filed in support of the application. Except a vague allegation that the respondent is a person having political background and muscle power and he will try to evict the appellants from the schedule mentioned property at any time, no other allegation which would make out a *prima facie* case for grant of injunction has been made. The Arbitrator has rightly rejected the said application.



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3. We do not see any reason to interfere with the order of the Arbitrator. This Civil Miscellaneous Appeal therefore, fails and it is accordingly, **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M.,J.) (R.S.V., J.)
28.02.2024

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Index :No
Internet :Yes
Neutral Citation :No
Speaking

To

The Sole Arbitrator,
Chennai.



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and
R.SAKTHIVEL, J.

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