



**O.A.Nos.590 to 592 of 2024 and A.No.4278 of 2024
in
C.S. (Comm. Div.) No.152 of 2024**

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ABDUL QUDDHOSE.J.,

Mr. S. Balasubramanian, representing counsel for the respondents / defendants would submit that the counsel on record for the respondents / defendants is unable to argue the matter today on account of some personal inconvenience.

2. The matter is listed before me for the second time. On the last hearing date, i.e., on 18.11.2024, the learned counsel for the applicants / plaintiffs was ready to argue the interlocutory applications. It was also recorded in the said order that the applicants / plaintiffs are having the benefit of an interim order from 27.08.2024 onwards. The said order is still in force.

3. Counter has already been filed by the respondents / defendants. But as seen from today's representation made by the representing counsel as well as by the representation made by the learned counsel for the



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respondents / defendants on the last hearing date, i.e., on 18.11.2024, the

respondents / defendants are only seeking time to argue the interlocutory applications filed by the plaintiffs.

4. Being a commercial suit, no further indulgence can be shown to the respondents / defendants for the grant of adjournment. Only after this Court had found that the applicants / plaintiffs have made out a *prima facie* case, and the balance of convenience is in their favour, irreparable hardship will be caused to them, this Court had earlier granted interim injunction in favour of the plaintiffs in O.A.No.590 of 2024 on 27.08.2024. Since the learned counsel for the respondents / defendants is not ready to argue the matter in the interlocutory applications, this Court will have to necessarily allow O.A.No.590 of 2024 by making the interim injunction absolute in favour of the applicants / plaintiffs.

5. Accordingly, the interim injunction granted by this Court on 27.08.2024 in O.A.No.590 of 2024 is made absolute and O.A.No.590 of 2024 is allowed as prayed for. However, it is made clear that the respondents / defendants are granted liberty to raise all the objections as



raised in the counter affidavit filed before this Court in O.A.No.590 of 2024 in the main suit.

6. Since injunction has been granted in O.A.No.590 of 2024 and no interim order was granted in O.A.Nos.591 and 592 of 2024, no useful purpose will be served if these applications are kept pending. Hence, consequent to making the interim injunction absolute in O.A.No.590 of 2024, O.A.Nos.591 and 592 of 2024 are closed.

7. This Court is satisfied with the reasons stated in the affidavit filed in support of A.No.4278 of 2024, which has been filed by the respondents, seeking to combine the cause of action, as sufficient cause has been shown by the applicants / plaintiffs. Accordingly, A.No.4278 of 2024 is allowed as prayed for.

8. Registry is directed to verify whether the Suit Summons have been served on the defendants and submit a report on the next hearing date in regard to the same.

9. Post C.S. (Comm. Div.) No.152 of 2024 on 16.12.2024 for hearing.

25.11.2024



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25.11.2024