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CRP.No.4214 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.4214 of 2019

and

CMP.No.2396 of 2020

M/s.Larsen & Toubro Limited
Repd. By authorised Signatory Mr.K.Nagarajan
L & T House
Ballard Estate
Narottam Moraji Marg
Mumbai 400 001 and also at
Post Box No.979
Mount Poonamallee Road
Manapakkam
Chennai 600 089.

...Petitioner

Vs.

1.D.Elangovan

2.M/s.Casa Grande Pvt. Limited
111, 5th Floor, NPL Devi
L.B.Road
Thiruvanmiyur
Chennai 600 041.



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3.M.Arun Kumar

Founder and Managing Director
M/s.Casa Grande Pvt. Ltd.,
111, 5th Floor, NPL Devi
L.B.Road
Thiruvanmiyur, Chennai 600 041.

4.K.R.Anerudan

Founder and Managing Director
M/s.Casa Grande Pvt. Ltd.,
111, 5th Floor, NPL Devi
L.B.Road
Thiruvanmiyur, Chennai 600 041.

5.A.M.Naik

Group Executive Chairman
M/s.Larsen & Toubro Limited
L & T House
Ballard Estate
Narottam Estate
Mumbai 400 001 and also at
Post Box No.979
Mount Poonamallee Road
Manapakkam
Chennai 600 089.

6.S.N.Subrahmnayan

Managing Director & President
M/s.Larsen & Toubro
L & T House
Ballard Estate
Narottam Moraji Marg
Mumbai 400 001 and also at
Post Box No.979
Mount Poonamallee Road
Manapakkam, Chennai 600 089.

...Respondents



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Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to pass an order quashing the proceedings in IA.No.795 of 2019 in IA.No.1019 of 2016 in OS.No.216 of 2016 pending on the file of the Court of the District Munsif-cum-Judicial Magistrate, Sriperumbudhur, being illegal and wholly in excess of jurisdiction.

For Petitioner : Mr.R.Murali
Senior Advocate
for Mr.Preet Mohan

For Respondent : Mr.A.Prabhakara Reddy
for M/s.APR Associates for R1
Mr.Hemkumar
for Mr.Ganesh & Ganesh for R2
R3 & R4 -served – No appearance
Mr.Thriyambak J.Kannan for R5 & R6

ORDER

This Civil Revision Petition is filed seeking to strike out the IA.No.795 of 2019 filed by the respondents seeking arrest of the petitioner for violation of the order passed in IA.No.1019 of 2016 in OS.No.216 of 2016 on the file of the District Munsif-cum-Judicial Magistrate, Sriperumbudhur.



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2. When the matter was taken up for hearing, learned counsel for the petitioner filed an affidavit of undertaking dated 17.01.2024 wherein, the petitioner had averred as follows:

“5. In any event and with a view to demonstrate the bonafides of the petitioner, I state that the present affidavit is being filed on behalf of the petitioner, to place on record the fact that the Interim Order dated 08.02.2017 has not been violated by the petitioner herein. The petitioner further undertakes that they will not either by themselves or through their executives, in any manner, violate the Interim Order dated 08.02.2017.”

3. The undertaking affidavit of the petitioner that the petitioner will not violate the orders dated 08.02.2017 passed in IA.No.1019 of 2016 either by itself or through its executives, is recorded.

4. On being satisfied with the undertaking affidavit filed by the petitioner, the learned counsel for the first respondent/plaintiff submitted that



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the first respondent would not press the contempt petition in IA.No.795 of 2019 as against the petitioner and executors of the petitioner, who were arrayed as respondents 5 & 6 in the interlocutory application. The said submission of the learned counsel for the first respondent is recorded. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.02.2024

Index : Yes / No
Internet : Yes / No
dna

To

The District Munsif-cum-Judicial Magistrate,
Sriperumbudhur.



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S.SOUNTHAR, J.

dna

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