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O.A. No.215 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.A. No.215 of 2025

M/s CELEBRITY DWELLINGS PVT. LTD.,

Rep. by its Director Mr. S. RAMACHANDRAN

... Applicant

vs.

1. Mrs. P. SUREKHA,

Wife of Thiru Srinivasan Chittam,

No. 50/88, Panchaliamman Kovil Street,

Sam's Court, AA Phase II, Arumbakkam,

Chennai 600 106.

Now at:

No. 2038, 3-A, Padmalaya Apartments,

15th Main Road, H Block, Anna Nagar,

Chennai - 600 040.

2. Mr. M. VISHAL,

Son of Mr. Mahaveer,

R/o. No. 24, Erulappan Street,

Sowcarpet, Chennai - 600 079.

... Respondents



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O.A. No.215 of 2025

For Applicant : Mr.M.S. Krishnan,
Senior Counsel for
Mr.Mohammed Fayaz Ali

For Respondents : Mr.D. Michael Sathyaraj for R1
R2- Set Ex-parte

ORDER

The applicant is having the benefit of an order of interim injunction in O.A. No.215 of 2025, since 11.03.2025. The applicant is also willing to go for arbitration and they have already filed a petition under Section 11 of the Arbitration and Conciliation Act, 1996 in Arb. O.P. (Com. Div.) No.416 of 2025 seeking for the appointment of an Arbitrator. While granting the interim injunction on 11.03.2025 in O.A. No.215 of 2025, this Court has observed that the applicant has made out a prima facie case and they have also established the balance of convenience and irreparable hardship.

2. The learned counsel for the 1st respondent would submit that the objections raised by the 1st respondent before this Court in this application through their counter will be agitated by the respondents, before the Arbitral Tribunal, once the same is constituted by this Court



O.A. No.215 of 2025

either by filing an application under Section 16 of the Arbitration and Conciliation Act, 1996 or through the statement of defence filed by the respondents to the main arbitral claim to be made by the applicant.

3. After recording the submissions made by both the counsels, the interim injunction granted by this Court in O.A. No.215 of 2025 on 11.03.2025 is made absolute and this application is disposed of by granting liberty to the 1st respondent to raise all objections before the Arbitral Tribunal, once the same is constituted by this Court either under Section 16 of the Arbitration and Conciliation Act, 1996 or through the statement of defence filed by the respondents in the main arbitral claim to be made by the applicant, which includes the objections raised by the 1st respondent, through their counter filed in O.A. No.215 of 2025.

23.07.2025

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O.A. No.215 of 2025

ABDUL QUDDHOSE, J.

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O.A. No.215 of 2025

23.07.2025