



Original Application No.488 of 2025
and Arb.Appl.No. 708 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Original Application No.488 of 2025
and Arb.Appl.No. 708 of 2025

Tittu Kumar Velu,
S/o.Late. P.Velu

.... Applicant in both applications

Vs.

Shankar Kumar Velu,
S/o.Late P.Velu

.... Respondent in both applications

PRAYER

O.A.No. 488 of 2025

To grant an order of interim injunction restraining the respondent, his/their men, agents' servants, auditors, audit firms or anybody claiming under or through him in any manner operating the bank account of the partnership firm viz., Axis Bank, Kolappakkam branch, Account No.92102003365974.

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To direct the respondent not to operate any bank account related to the partnership firm, during the pendency of the arbitration proceedings or pending disposal of the arbitral proceedings.

For Applicant : Mr.K.P.Sathish Kumar
[in both applns.]

For Respondent : Mr.R.Ravindran



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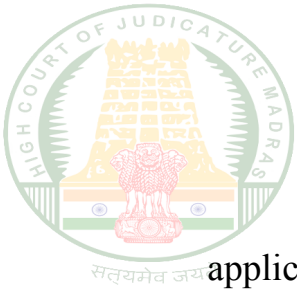
[in both applns.]

COMMON ORDER

These applications have been filed under Section 9 of the Arbitration and Conciliation Act, 1996 [for brevity, hereinafter referred to as 'the Act'] for interim injunction restraining the respondent, his men, agents, servants etc., from in any manner operating the bank account of the partnership firm pending arbitration proceedings to be initiated by the applicant and to direct the respondent not to operate any bank account related to the partnership firm.

2. Heard Mr.K.P.Sathish Kumar, learned counsel for the applicant and Mr.R.Ravindran, learned counsel for the respondent.

3. The case of the applicant is that after the demise of his father in the year 2021, the applicant, his mother and the respondent decided to start a partnership firm. They also entered into a partnership agreement on 16.06.2021. The respondent being the elder son was appointed to manage the aforesaid firm. According to the applicant, the respondent had misappropriated the amounts and one of the partner i.e., mother of the



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applicant died on 12.03.2025.

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4. Clause 24 of the partnership deed provided for referring the dispute to the Arbitrator. Before initiating the said proceedings, the applicant has knocked the doors of this Court seeking for an interim injunction restraining the respondent from in any manner operating the bank account of the partnership firm.

5. The learned counsel for the applicant submitted that the applicant is yet to issue the trigger notice under Section 21 of the Act.

6. The respondent has filed a counter affidavit and the respondent has taken a stand that the respondent does not have the authority to issue cheques on behalf of the partnership firm without obtaining the signature of the applicant after the demise of his mother.

7. In the light of the above stand taken by the respondent, there is no immediate threat that the respondent will issue cheques and take away the entire amount lying in the bank account of the partnership firm.

N.ANAND VENKATESH, J.

mp



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8. In view of the same, this Court does not find any ground to grant any interim protection as sought for by the applicant. It is left open to the applicant to issue notice and proceed further to initiate arbitration proceedings against the respondent in accordance with law.

These applications are disposed of in the above terms.

04.09.2025

Neutral Citation: Yes/No
Speaking Order/Non-speaking order

mp

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