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OA No. 515 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-08-2025

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

OA No. 515 of 2025

RDB Chennai Realtors LLP Represented by its
Designated Partner Mr Govindasamy Chinnadurai
No.258/2, The Royal Castle, Club House,
Thirumudivakkam Main Road, Thirumudivakkam,
Kancheepuram 600 132.

..Applicant(s)

Vs

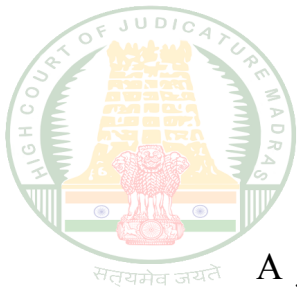
M/s Arul Murugann Promoters Represented by its
Partner
Partnership Firm, Having Office at No.19/2B,
Ramachandra Street,, T.Nagar, Chennai 600 017.

..Respondent(s)

To grant an order of interim injunction restraining the Respondent or their men, agents, representatives, or anyone acting through or under them from dealing with or alienating or encumbering or selling any of the unsold plots/properties situated in Ramamurthy Nagar Phase I and II forming part of the extension of Mou dated 27.03.2024 which are more specifically stated in the Schedule

For Applicant(s): Mr.PAWAN JHABAKH

For Respondent(s): Mrs.SIVAKAMI SHANMUGAM PILLAI
FOR RESPONDENT



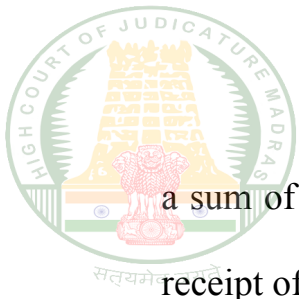
ORDER

A joint endorsement has been made by both the counsels agreeing for appointment of an Arbitrator by this Court.

2. On the last hearing date, i.e., on 30.07.2025, the learned counsel for the respondent on instructions submitted that the respondent is willing to pay directly to the applicant a sum of Rs.75 lakhs, which, according to the respondent, is the full and final settlement amount payable by the respondent to the applicant.

3. On the last hearing date, the learned counsel for the applicant sought time to get instructions with regard to the willingness of the respondent to pay a sum of Rs.75 lakhs to the applicant towards full and final settlement. However, at the same time, he had submitted that even if the applicant receives a sum of Rs.75 lakhs from the respondent, it will not be towards full and final settlement; and in respect of the balance amount claimed by the applicant, this Court will have to grant liberty to the applicant to claim the balance amount before the Arbitral Tribunal once the same is constituted by this Court.

4. Today, the learned counsel for the respondent has handed over a cheque dated 11.08.2025 drawn by the respondent in favour of the applicant for



a sum of Rs.75 lakhs. The learned counsel for the applicant acknowledges the receipt of the same.

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5. Earlier, the learned counsel for the respondent had given an undertaking before this Court on 23.05.2025 and 02.07.2025 that the respondent shall not alienate/encumber the property morefully described in the schedule to the Judges Summons, till the completion of the mediation. The mediation has failed and the mediation report has also been filed before this Court on 01.07.2025.

6. In view of the joint endorsement made by both the counsels on instructions agreeing for appointment of an Arbitrator by this Court, this Court is of the considered view that both the parties can seek interim protection, pending arbitration, by filing an application under Section 17 of the Act before the Arbitrator. Accordingly, this application is disposed of in the following manner:-

(a) This Court hereby appoints Hon'ble Mr.Justice R.Subramanian, former Judge of this Court, residing at No.6/29, Flat No.1B, Viswanath Apartment, 5th main road, R.A.Puram, Chennai-28 (Mobile No.9444094402), as the



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Sole Arbitrator to adjudicate the dispute between the petitioner and the respondent arising out of MoU dated 27.03.2024.

(b) The Sole Arbitrator appointed by this Court shall be paid remuneration/fees as per the schedule agreed upon by the parties to the dispute.

(c) The Arbitrator shall adhere to the provisions of Arbitration and Conciliation Act, 1996.

(d) The Arbitrator shall also pass the arbitral award within the stipulated period as prescribed under the Arbitration and Conciliation Act, 1996.

(e) Both the parties are at liberty to file an application under Section 17 of the Act seeking interim protection before the Arbitrator to protect their respective interest, pending arbitration.

(f) The undertaking given by the respondent before this Court on 23.05.2025 and 02.07.2025 shall stand extended for a limited period of two weeks from the date of receipt of a copy of this order.

05-08-2025



OA No. 515 of 2



Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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WEB COPY

OA No. 515 of 2



ABDUL QUDDHOSE, J.

RKM

OA No. 515 of 2025

05-08-2025