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**C.M.P.No.17106 of 2025
in O.S.A.(CAD) No.18 of 2023**

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

AND

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

**C.M.P.No.17106 of 2025
in O.S.A.(CAD) No.18 of 2023**

K.Shibu

...

Petitioner

vs

1 C.S.Padam Chand

2 M/s.H.R.Pictures,
Rep. by its Managing Partner
Mumthas Muhammad.

...

Respondents

PRAYER : To direct the return of originals of 1) Registered Sale Deed in Doc.No.8438 of 2015 on the file of SRO, Virugambakkam, 2) Registered Builder Agreement in Doc.No.8437 of 2015 on the file of SRO, Virugambakkam, to the petitioner's counsel, which were produced as security based upon the order dated 14.03.2023 in O.S.A.(CAD) No.18 of 2023 by this Honourable Court.



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For Petitioner : Mr.P.Dinesh Kumar

For Respondent 1 : Mr.T.R.C.Vengatesh

For Respondent 2 : Mr.T.Thiageswaran

ORDER

(Order of the Court was made by Dr.G.Jayachandran,J.)

Petitioner is the first respondent in O.S.A.(CAD) No.18 Of 2023.

Being aggrieved by the interim order passed in Arbitration O.A.No.130 of 2023, the above original appeal was filed, in which an application for vacating the interim injunction was filed and it was allowed, on condition that the petitioner should furnish security for a sum of Rs.2,60,00,000/-. Pursuant to the said order, it appears that the petitioner has furnished property documents as security for Rs.2,60,00,000/-. Later, the matter has been referred to an Arbitrator and the Arbitrator has given a finding that the dispute touches upon the criminal conduct of the parties and, therefore, it cannot be decided in the arbitration proceedings. The Arbitrator also advised the parties to approach the Civil Court for remedy.



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2. It is to be noted that the parties have not so far initiated any civil suit. Earlier, this petitioner approached this Court in C.M.P.No.3150 of 2025, seeking return of the documents, furnished as security.

3. Counsel for the petitioner states that, by inadvertence, though three documents were furnished as security, the earlier application in C.M.P.No.3150 of 2025 was in respect of only one document, and, for other two documents, the present application has been filed.

4. Counsel, appearing for the respondents, have no objection.

5. This Court, on perusing the records, finds that the proceedings in Arbitration O.A.No.130 of 2023 itself have reached finality and, therefore, the interim order passed by the Division Bench in O.S.A.(CAD) No.18 of 2023 to furnish security to the tune of Rs.2,60,00,000/- has also come to a logical end and the documents, whatever furnished by the petitioner, are no more required.

6. Hence, this Civil Miscellaneous Petition stands allowed.

7. Registry is directed to return the documents to the counsel for the petitioner, after obtaining proper acknowledgement.

dixit

(DR.G.J.,J.) (M.S.K.,J.)
16.09.2025



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DR.G.JAYACHANDRAN,J.
AND
MUMMINENI SUDHEER KUMAR, J.

dixit

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