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OA NO. 493 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2025

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THE HONOURABLE MR JUSTICE K.KUMARESH BABU

OA NO. 493 of 2025

IN

OP NO. 143 OF 2025

Satish Kumar Raghunathan
S/o.Sri Raghunathan Venkatraman, Block 4, D2,
Mayfair Apartment, 2A, LIC Colony Main Road,
Vijaynagar, Velacherry, Chennai, Tamil Nadu -
600 042.

Applicant(s)

Vs

Karthika Vaidyanathan
D/o.Sri Vaidyanathan Rajagopala Iyer, Block-C,
403, Ramaniyam Samarpann, Block No.40, 20th
and 21st East Street, Kamaraj Nagar,
Thiruvanmiyur, Chennai - 600 041.

Respondent(s)

For Applicant(s):

Mr.M.K.Kabir (Senior counsel)
For M/s.K.SUMATHI

For Respondent(s):

ORDER

The present application has been filed to grant an order of interim injunction restraining the respondent holding Indian Passport No.P8795572 in the name of Vaidhyathan Karthika, her men, agents, representatives, family members, relatives, friends or anyone acting on her behalf from

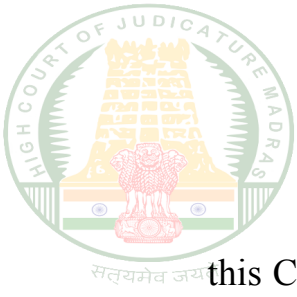


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selling, alienating or encumbering the property transferred by the applicant/petitioner to her name under two settlement Deeds dated 05.12.2022 registered as Document No.7173 of 2022 and No.7174 of 2022 respectively on the file of the office of the Sub Registrar, Puthencruz pending disposal of O.P.No.143 of 2025 on the file of this Hon'ble Court.

2. Mr.M.K.Kabir, learned Senior counsel appearing on behalf of the applicant would submit that the property mentioned in the schedule had been settled by the applicant pursuant to the agreement entered into between the applicant and the respondent. Since, the respondent is evading service of court summons, it would be in the interest of justice to grant an injunction, restraining the respondent from dealing with the property as it would also secure the presence of the respondent before this Court. Hence, he prays for an interim injunction restraining the respondent from dealing with the said property.

3. I have considered the submissions made by the learned Senior counsel appearing for the applicant.

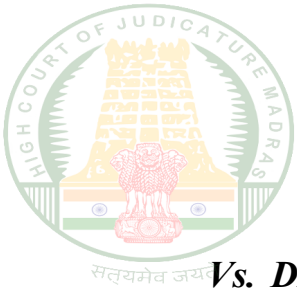


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4. The respondent had already been enjoined by the earlier order of this Court, not to remove the child outside the jurisdiction of this Court. This Court recording that the child was in Dubai along with the respondent and based on the itinerary placed before this Court showing their plan to travel back to India on 14.04.2025, an injunction was granted, restraining the respondent from removing the child from the jurisdiction of this Court without seeking prior permission until further orders.

5. The learned senior counsel would contend that the respondent having knowledge of the said order, had retained the custody of the minor child at Dubai, which this Court views as an act in defiance of its orders. Even though this Court had restrained the respondent from taking the child outside its jurisdiction, liberty was granted to the respondent to seek permission of this Court to take the child outside the jurisdiction of this Court.

6. This Court also finds that the respondent is attempting to evade service on her.



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7. The Hon'ble Apex Court, in the case of ***Harshad Chiman Lal Modi Vs. DLF Universal Ltd., and another*** reported in ***2005 (7) SCC 791***, had held that even though the Court do not have jurisdiction to deal with the properties situated outside its jurisdiction, in applying the principles of equity, it may nevertheless pass appropriate orders.

8. In view of the above and to secure the presence of the respondent before this Court, an injunction as prayed for is granted.

9. The learned Senior counsel for the applicant further seeks permission of this Court to serve notice through e-mail.

10. Considering the fact that the respondent is currently in Dubai, the applicant is also permitted to serve a copy of this order on the respondent through e-mail.

11. Notice to the respondent returnable by 10.06.2025. Private Notice is also permitted.



12. List the matter on 10.06.2025.

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To
1. Karthika Vaidyanathan
D/o.Sri Vaidyanathan Rajagopala Iyer,
Block-C, 403,
Ramaniyam Samarpann,
Block No.40, 20th and 21st East Street,
Kamaraj Nagar, Thiruvanmiyur,
Chennai - 600 041.