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O.A.No.1023 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

O.A.No.1023 of 2025

M/s.EID Parry (India) Limited
Rep. by its General Manager-Legal and Compliance
'Dare House'
234, NSC Bose Road, Parrys Corner
Chennai 600 001

.. Applicant

Vs.

Sun (Inox) Steels Private Limited
No.1-8-449/2A, Beside Paigah Palace
Pattigada, Begumpet, Hyderabad
Telangana 500 016

.. Respondent

Application filed under Order XIV Rule 8 of O.S. Rules, read with Section 9(1)(ii)(a) & (e) of the Arbitration and Conciliation Act, 1996, to grant an order of interim injunction restraining the respondent, their agents, representatives, relatives, any person acting for them or at their behest etc. from disclosing any information to any third party including the parties set out in Schedule-I and/or publishing, posting, disclosing, communicating, exhibiting, disseminating etc. any false, defamatory, scurrilous, slanderous or derogatory statements or claims maligning the applicant, its key Managerial Personnel or Directors to any person including the general public, the parties set out in Schedule-I, regulatory authorities, stock exchanges, dealers, shareholders etc. or on any forum or medium including print media, social media platforms, audio visual media etc.

For Applicant : Ms.Shashi Krishna
for M/s.S.Ramasubramaniam Associates



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ORDER

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This application was filed seeking an order of interim injunction restraining the respondent from in any manner publishing, posting, disclosing, communicating, exhibiting, disseminating etc. any false, defamatory, scurrilous, slanderous or derogatory statements or claims maligning the applicant, its key Managerial Personnel or Directors to any person including the general public, the parties set out in Schedule-I, regulatory authorities, stock exchanges, dealers, shareholders etc. or on any forum or medium including print media, social media platforms, audio visual media etc.

2. When this application came up for hearing on 29.10.2025, this Court passed the following order:

“This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (for brevity hereinafter referred to as “the Act”), for an interim injunction restraining the respondent from in any manner disclosing, communicating or disseminating any false, defamatory, scurrilous, slanderous and derogatory statements by maligning the name of the applicant.

2. Heard Mr. Krishna Srinivasan, learned Senior Counsel on behalf of the applicant and carefully perused the materials available on record.

3. In the year 2022, the applicant proposed to sell the plant and machinery of one of their plants at Pettavathalai as a composite supply “as is where is”, “as is what is” basis. Accordingly, the applicant and the respondent entered into a sale agreement dated 18.05.2022. As per the sale agreement, the respondent was obligated to dismantle, lift and transport the plant and machinery as stated in the schedule to the sale agreement and vacate the site on or before 28.02.2023. For this purpose, learned Senior Counsel relied on Clauses 3.2 and 15.4 of the agreement.



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4. The respondent was not able to remove some of the parts from the site before 28.02.2023. Even though the applicant made multiple attempts to contact the respondent, the respondent did not take any steps to vacate the site and the respondent unauthorisedly occupied the premises.

5. The applicant had issued three legal notices to the respondent requesting the respondent to remove the equipments and to handover possession of the property. The respondent was also informed that after the expiry of the agreement, the applicant is vested with the right to deal with the equipments and the respondent will not have the right or title or interest in such assets left over. The applicant did not receive any response and the subsequent notices also did not evoke any response.

6. The grievance of the applicant is that the respondent, all of a sudden, started sending various complaints to various authorities by making defamatory, scurrilous, slanderous and derogatory statements against the applicant. The latest of one such communication was made on 28.10.2025.

7. It is under these circumstances, the applicant, in order to safeguard their reputation and in order to ensure that the name of the applicant is not further maligned, have approached this Court seeking for an order of interim injunction. As per the agreement of sale dated 18.05.2022, it also contains a mechanism for dispute resolution by referring the dispute to the arbitrator under Clause 18. Accordingly, the trigger notice under Section 21 of the Act was also issued on 28.10.2025.

8. A *prima facie* case has been made out by the applicant. If there are any genuine disputes for the respondent, it has to be worked out by the respondent in the manner known to law and instead, the respondent has chosen to give complaints to various authorities by making damaging statements. Therefore, if this attitude continues, the applicant would be put to irreparable loss. The balance of convenience is also in favour of the applicant. Hence, this Court is inclined to grant an interim order and accordingly, an order of interim injunction is granted as prayed for till 26.11.2025.

9. Notice to the respondent returnable by 26.11.2025. Private notice is also permitted. The applicant to comply with Order XXXIX Rule 3A CPC.”

3. Notice was taken on the respondent and the notice was also served and when the matter came up for hearing on 26.11.2025, this Court passed the following order:

“Affidavit of service has been filed. There is no appearance on behalf of the respondent either in person or through counsel.



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2. Registry is directed to print the name of the respondent in the cause list and post the matter on 10.12.2025. The interim order already granted by this Court shall stand extended.”

4.Pursuant to the above order, the name of the respondent has been printed in the cause list and there is no representation for the respondent either in-person or through counsel.

5.Heard Ms.Shashi Krishna, learned counsel for the applicant and carefully perused the materials available on record.

6.In the considered view of this Court, while granting interim order on 29.10.2025, this Court has assigned reasons as to why such interim protection is required for the applicant. The same reasoning will enure in favour of the applicant, since the respondent has chosen not to contest this application. Hence, the order passed on 29.10.2025 is made absolute and this application is accordingly, allowed.

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Index : Yes/No

Neutral Citation : Yes/No



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