

IN THE XIV ASSISTANT CITY CIVIL COURT AT CHENNAI

Present : Thiru. S. Sivasubramanian, B.Com., B.L.,

XIV Assistant Judge

Wednesday, this the 12th day of February, 2025

OS. No. 3923/2023

CNR NO.TNCH01-021881-2023

Saravana Muthukumaran A M ,
S/o. A E Murugesan,
21/14, Ramamurthy Street,
VTC Kodambakkam,
Chennai-600 024.

...Plaintiff

/Vs/

Navi Finserv Pvt. Ltd.,
Rep. By its Manager Recoveries,
5th – A Block, No.555 Amarasri Building up on 10.02.2025,
Anna Salai, Teynampet,
Chennai-600 018.

...Defendant

This suit is came up on 10.02.2025 for final hearing before me in the presence of M/s. P. Dilli Babu, Z. Rizwan Hussain and B. Gowtham, Counsels for Plaintiff and of M/s. Bhagavath Krishnan PMN, Anitha Suresh M.Akshayaa and Mrunalini Srinivasan, Counsels for Defendant, and Under Section 8 of Arbitration and Conciliation Act petition in IA.No.1/2025, has been filed by the defendant and the same having been allowed and this court delivered the following:

JUDGMENT

The plaintiff has filed this suit under Order 7 Rule 1 of CPC, to grant permanent injunction restraining the defendants, and their men from unlawfully interfering with the plaintiff's peaceful Life, under the guise of recovery of money in respect of Personal Loan vide No.010000295411, without due process of law and for cost.

1. It appears that after taking the suit on file this court had ordered summon to the defendant. Further it appears that on 25.10.2024 the defendant entered appearance by engaging advocate M/s. Bhagavath Krishnan PMN.

2. When the suit is posted for filing written statement of defendant, the defendant had filed interlocutory application Under Section 8 of the Arbitration and conciliation Act 1996 vide I.A.No.1/2025 in O. S. No.3923/2023 to refer the dispute to the arbitration and dismiss the suit in O. S. No.3923 of 2023 on the file of XIV Assistant City Civil Court at Chennai and refer the parties to the arbitration in accordance with the terms of the loan agreements entered into between the Defendant and the Plaintiff dated 06.12.2022 and the same was allowed on 12.02.2025.

3. As per the order made in I.A.No.1/2025 in O.S.No.3923/2023 dated 12.02.2025, the parties of the suit referred to Arbitration proceedings. This Suit is dismissed and the parties are refer to Arbitration proceedings to resolve their dispute

before the Arbitrator under section 8 r/w 12(5) of the Arbitration and Conciliation Act. No Costs.

Dictated to the Steno-typist typed by her directly in the computer, corrected and pronounced by me in the open court on this 12th day of February, 2025.

XIV Assistant Judge,
City Civil Court, Chennai.

Plaintiff Side Witnesses and Exhibits: Nil

Defendant's side Witness and Exhibits: Nil

XIV Assistant Judge,
City Civil Court, Chennai.