IA no. 1 of 2026
in
COS (SR) No.1001 of 2026

Date: 25.08.2026

Heard the counsel for petitioner/plaintiff.

The petitioner has filed this application under Section 151 of C.P.C. to dispense with requirement of pre-institution mediation under Section 12A of Commercial Courts Act, 2015. According to the plaintiff, even before expiry of notice period on 31.08.2026, the 1st defendant is attempting to dispossess the plaintiff without paying advance amount of Rs.6,07,598/- and to sell the demised premises. In the plaint, the plaintiff has himself admitted to vacate the rented premises on 31.08.2026 and has now sought for injunction restraining the respondents from dispossessing the petitioner from the property until repayment of advance amount. Such a prayer cannot be considered as an urgent relief. The case of plaintiff does not fall within any circumstances laid down by our Hon'ble High Court in a decision rendered in K.Varadhan Vs Prakash Babu Nakundhi Reddy dated 13.10.2022. Where the plaintiff is evicted, he has remedy to recover advance amount from defendants. There is no urgent relief in this case. The petition is dismissed. Plaintiff is directed to invoke pre-litigation mediation under Section 12A and file suit thereafter.

GANAPATHI SAMY

Digitally signed by GANAPATHI SAMY
Date: 2026.08.25 18:13:03 +0530

Principal Judge
Principal Commercial Court,
Egmore, Chennai.