

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.No.720 of 2015
and M.P.No.1 of 2015

Indian Bank,
represented by its Assistant General Manager,
Harbour Branch, New NO.66 (Old No.31),
Rajaji Salai, Chennai - 600 001 ... Appellant

vs.

1. Marg Limited,
(formerly known as Marg Construction Limited)
Having its registered office at
'Marg Axis', 4/318, Rajiv Gandhi Salai,
Kottivakkam, Chennai - 600 041
rep.by its Authorised Representative,
Mr.K.R.Swaminathan

2. The Government of Puducherry,
represented by the Under Secretary,
Department of Industrial Development (Port),
Government of Puducherry,
Central Secretariat,
Puducherry.

3. Geojit BNP Paribas Financial Services Limited,
Having its registered Office at
No.34/659P, First Floor,
Civil Line Road, Patiyattam,
Cochin - 682 042.

4. Karaikal Port Private Limited,
having its registered office at
Keezha Vanjur Village,
TR Patinam, Karaikal - 609606.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the Order dated 25.3.2015 made in M.P.No.1 of 2015 in W.P.No.8592 of 2015 on the file of this Court.

W.P.No.8592/2015:

filed to issue a Writ of Mandamus directing the 2nd and 3rd Respondents to maintain the status of the shares held by the Petitioner in the 4th Respondent company as on 20.03.2015 and forbearing them in any manner proceeding with the invocation and transfer of shares in favour of third parties without following due process of law

M.P.No.1/2015:

filed to grant an Order of Ad-interim injunction, restraining the Respondents 2 and 3 from transferring or encumbering on the invoked and transferred shares held by the Petitioner in the 4th Respondent company to any other 3rd parties.

For appellant : Mr.P.H.Aravindh Pandian, Sr.Counsel
for M/s.Rajendran Raghavan

JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

Being aggrieved by the interim order dated 25.3.2015 made in M.P.No.1 of 2015 in W.P.No.8592 of 2015 granting status quo prevailing as on that date, notice of motion was issued. The matter was directed to be listed on 25.4.2015. The appellant herein/2nd respondent in the writ petition, without waiting for the next date of hearing, has filed the instant appeal challenging the legality of the interim order, which is still subject to consideration.

2. Therefore, without expressing any opinion on the merits of the case at this stage, the writ appeal is dismissed. As all the issues are still open to be considered by the learned single judge for further consideration, Registry is directed to list the writ petition before the learned single Judge having the roster in the 1st week of June, 2015 as ordered on 25.3.2015. No costs. Consequently, the connected miscellaneous petition also stands dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Under Secretary,
Department of Industrial Development (Port),
Government of Puducherry,
Central Secretariat,
Puducherry.

1 cc to M/s.Rajendran Raghavan, Advocate, SR.No.24281

W.A.No.720 of 2015

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pmk.20.5.2015



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