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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.06.2015

CORAM

THE HONOURABLE Mrs. JUSTICE. **S.VIMALA**

C.S.No.22 of 2007
and 753 of 2006

C.S.No.22 of 2007

1. Sharath Kakumanu
2. Beena Kosaraju
3. Sujini Kakumanu
4. Ashwin Kakumanu

... Plaintiffs

Vs.

1. K.S.Geeta

2. M/s.Stressed Assets Stabilisation
Fund,
C/o.Industrial Development Bank
of India Ltd.,
115, Anna Salai,
Saidapet, Chennai-600 015.
Rep. By its Director.

3. Industrial Development Bank of India Ltd.,
115, Anna Salai,
Saidapet, Chennai-600 015.
Rep. By its Managing Director.

4. M/s.Pioneer Alloy Castings Limited,
Rep. By its Director,
Having its Corporate Office at
No.195, St.Marys Road,
Chennai-600 028.

... Defendants



PRAYER : Petition filed under Order IV Rule 1 of O.S.Rules read with Order VII Rule 1 of C.P.C. praying for the following relief:

a. declaring that the first and second plaintiffs each are entitled to 1/4th shares and the third and fourth plaintiffs each are entitled to equal 1/8th shares out of 16 lakhs shares of M/s.Pioneer Alloy Casting Limited, the fourth defendant herein, morefully set out in the schedule herein, being the lawful and legal owners therein as legal heirs of the promotor Late Mr.K.Subbiah.

b. Consequent mandatory injunction directing the defendants 1 to 3 to handover the share certificate (s) together with duly executed transfer form in respect of 12 lakhs equity shares of the M/s.Pioneer Alloy Castings Limited, forming part of the schedule mentioned shares, to the fourth defendant herein for effectuating transfers in terms of the legal entitlement.

For Plaintiff : No appearance

For Defendants : No appearance

C.S.No.753 of 2007

1. M/s. Pioneer Alloy Castings Limited,
Rep. by its Director Mrs.Beena Kosaraju,
Having its place of business at:
No.195, St. Marys Road,
Chennai - 600 028.

and having Registered Office at:
No.22 & 23, Industrial Area,
Gazulamandyam,
Via Reningunta - 517 520,
Andra Pradesh.



2. Mr. Sharath Kakumanu

3. Mrs. Beena Kosaraju

... Plaintiffs

Vs.

1. M/s. Streessed Assets Stabilisation
Fund,
C/o. Industrial Development Bank
of India Ltd.,
115, Anna Salai,
Saidapet, Chennai - 600 015.
Rep. By its Executive Trustee Sebi Antony

2. Ms. K. S. Geetha

3. Industrial Development Bank of India Ltd.,
115, Anna Salai,
Saidapet, Chennai - 600 015.
Rep. By its Managing Director. ... Defendants

Petition filed under Order IV Rule 1 of O.S. Rules read with order VII Rule 1 of C.P.C. praying for the following relief:

a. Permanent injunction restraining the first defendant, their men, agents, officers, subordinates or any other person(s) acting or claiming under them from in any manner receiving payment in respect of 16 lakhs equity shares of the M/s. Pioneer Alloy Castings Limited, the first plaintiff herein, from the second defendant her men, agents, or any other person(s) acting or claiming under her and

b. Permanent injunction restraining the first defendant, their men, agents, officers, subordinates or any other person(s) acting or claiming under them from in any manner transferring and/or handing over 16 lakhs equity shares of M/s. Pioneer Alloy Castings Limited, the plaintiff to the second defendant or her agents or any person(s) claiming under her.



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JUDGMENT

Despite the matter being listed under the caption "For Dismissal" and names of the plaintiffs 1 and 2 being printed in the cause list, there is no representation on behalf of them in both the suits. Hence, these suits are dismissed for default. No costs.

sd/.S.V.J
09.06.2015

//Certified to be a true copy//

Dated this the day of 2015.

S.s/16.06.2016

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.