

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.09.2016

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.S.No.249 of 2009
and
O.A.Nos.244 and 245 of 2009
and
A.No.1297 of 2009

1. S.Ramalingam
 2. Mrs.S.Ananda Saraswathi
 3. Mrs.Muthulakshmi
 4. Mrs.S.Indira
 5. S.Narayanan
 6. M.Bhagavathi
 7. S.Selvaraj
 8. S.Sankaran
- Plaintiffs

..

vs.

1. Annai Moogambigai Rollar Flour Mills Pvt.Ltd.,
rep. by its Director,
Mr.S.Muthuvel,
Registered Office at No.9, Davidson Street,
Chennai – 600 001.
- 2.S.Muthuvel
- 3.S.Paramasivam Pillai
- 4.P.Mani
- 5.V.Manthiram
- 6.P.Haritha Lakshmi
- 7.M/s.Selvam Traders,
rep. by its proprietor,
S.Valasubramaniam,
No.16, Acharappan Street,
Chennai – 600 001.

8.M/s.Krishna Traders,
rep. by its proprietor, E.Subbukutty,
Thatha Muthiappan Street,
Chennai – 600 001.

9.Ravi

10.Venkata Subbiah

11.Vijayakumar

12.G.R.Krishnaiah Chetty

13.Viswanathan

14.M/s.Lakshmi Trading Corporation,
represented by its proprietor,
Govardhandoss & Thaneswar
No.1, Thatha Muthiappan Street,
George Town, Chennai – 600 001.

15.A.T.Raja

16.A.Sethu Ponnambalam

17.Mrs.Veda Chidambram

(Defendants 6 to 17 have been impleaded

as per Order dated 21.6.2016 in

Application No.2066/2016 and

Time is extended as per Order dated 30.8.2016

in Application No.4266/2016)

Defendants

..

PRAYER: Plaintiff filed under Order IV Rule 1 of the Original Side Rules and under Order VII Rule 1 CPC, praying to pass a Judgment and Decree against the defendants as follows:-

(a) for a permanent injunction restraining the defendants their men, agents, servants or anyone acting on their behalf from in anyway take any decision on behalf of the first defendant company without any resolution of the Board of Directors.

(b) for a permanent injunction restraining the defendants their men, agents, servants or anyone acting on their behalf from

in anyway deal with the properties of the first defendant company in any manner whatsoever except by resolution and decision of the shareholders.

(c) for a permanent injunction restraining the defendants their men, agents, servants or anyone acting on their behalf from in anyway represent the first defendant company in any manner whatsoever.

(d) to appoint a retired High Court Judge as an Administrator/Receiver to take charge of the affairs and assets of the 1st respondent/defendant company and direct him to conduct an Annual General Meeting after giving a proper notice to all the shareholders and record the minutes and resolution passed therein and to file a report before this Hon'ble Court, within a stipulated time.

(e) to appoint a retired High Court Judge as Commissioner to sell the assets of the first respondent/defendant company by way of public auction and direct him to deposit the sale proceeds before this Court to the credit of this suit and disburse the same to shareholders in accordance with the proportionate holdings, after paying the dues to the creditors within a stipulated time and report to this Honourable Court, and

(f) to grant such other suitable

relief.

* * *

For Plaintiffs : Mr.M.Selvam

For Defendants : No appearance

J U D G M E N T

A memo has been filed by the plaintiffs to withdraw the above suit as not pressed. The memo has been signed by all the plaintiffs. The suit is dismissed as withdrawn recording the said Memo. No costs. Consequently, the connected Applications are closed.

2. Half of the Court fees paid by the plaintiffs may be refunded.

27.09.2016

Index: yes / no

Internet: yes/no

asvm

PUSHPA SATHYANARAYANA, J.

(asvm)

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