

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.S.No.656 of 2013
and O.A.No.755 of 2013
and A.No.5951 of 2013

M/s.Kaavanoor Energy Product Private Ltd.,
(Formerly known as M/s.Kaavanoor Dairy Products Pvt., Ltd.,)
New No.7, 11th Avenue, Ashok Nagar,
Chennai - 600 083.

Represented by its Director, P.Sucharitha

... Plaintiff

Vs

1.B.Jayaraman
2.K.M.Muralidharan
3.M.Hema
4.M.Chandni

5.M/s.State Bank of India
Stressed Assets Recovery Branch,
Red Cross Building, 2nd Floor,
No.32, Montieth Road,
Egmore, Chennai 600 008.
Represented by its Chief Manager.

6.The Recovery Officer,
Debt Recovery Tribunal - I Chennai,
4th Floor, Spencer Plaza,
770, Anna Salai,
Chennai 600 002.

7.K.M.Narasimhan

... Defendants

Prayer : - Complaint filed under Order VII Rule 1 of the Code of Civil Procedure, 1908, r/w. Order IV Rule 1 of the Original Side Rules pleased to

A)Declare the alleged equitable mortgage dated 06.12.1988 allegedly created by the 2nd defendant in favour of the 5th defendant as null and void.

B)Declare the decree dated 17.06.2008 passed in T.A.No.30 of 1997, on the files of the Hon'ble Debts Recovery Tribunal - 1, at Chennai as null and void.

C)Declare the order of attachment order dated 12.10.2011 passed by the 6th defendant and registered as document No.7 of 2011 in the office of the Sub Registrar at Arani as null and void.

D)Direct the 5th defendant to pay a sum of Rs.10,00,000/- (Rupees ten lakhs only) to the plaintiff as damages towards compensation for the loss, hardship and loss of reputation suffered by the plaintiff.

For Plaintiff

: Mr.A.J.Jawad

For Defendants

: M/s.M.L.Ganesh, S.Arunkumar for D5
M/s.A.S.Kailasam & Associates for D7

J U D G M E N T

Learned counsel appearing for the plaintiff seeks permission of this Court to withdraw this Civil Suit and makes an endorsement to that effect. Accordingly, this Civil Suit is dismissed as withdrawn. No costs. Consequently, the connected O.A.No.755 of 2013 and A.No.5951 of 2013 are also closed.

22.11.2018

rna

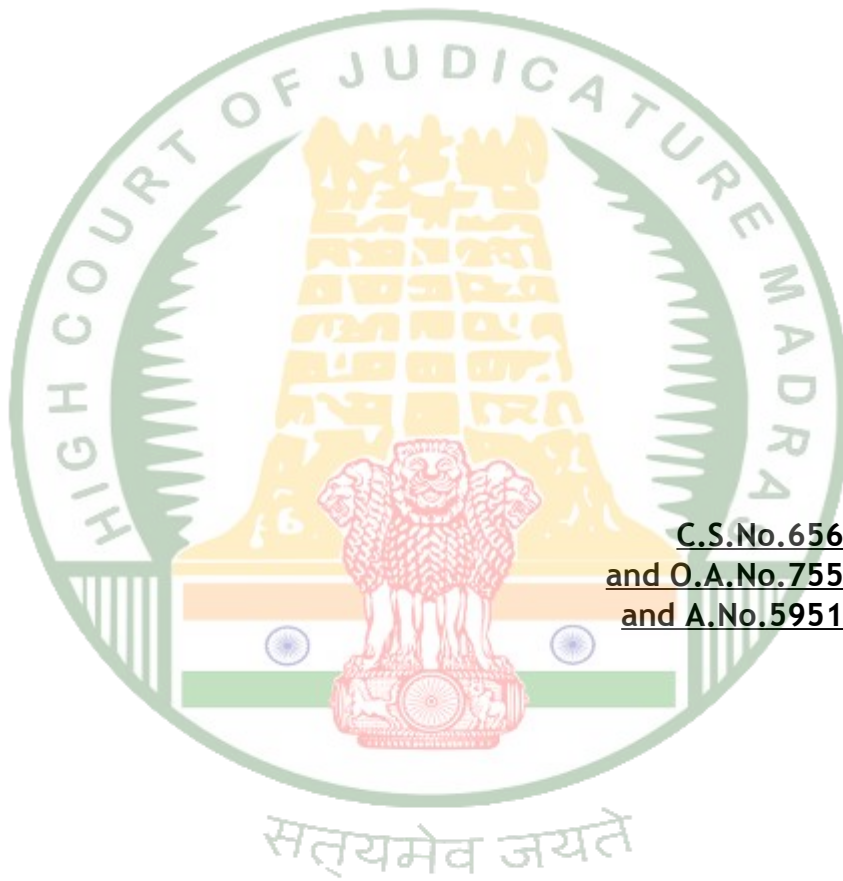
To

1.M/s.State Bank of India
Stressed Assets Recovery Branch,
Red Cross Building, 2nd Floor,
No.32, Montieth Road,
Egmore, Chennai 600 008.
Represented by its Chief Manager.

2.The Recovery Officer,
Debt Recovery Tribunal - I Chennai,
4th Floor, Spencer Plaza,
770, Anna Salai,
Chennai 600 002.

M.GOVINDARAJ,J

rna



C.S.No.656 of 2013
and O.A.No.755 of 2013
and A.No.5951 of 2013

WEB COPY

22.11.2018