

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2018

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.421 of 2007

M/s.Meenam Fisheries Limited,
Rep. by its Chairman, Thiru T.R.B.Rajaa

... Plaintiff

Versus

1.State Bank of India,
Rep. by its Chairman.

2.The Deputy General Manager,
State Bank of India,
Overseas Branch.

3.The Chief Manager,
IB Division of State Bank of India,
Overseas Branch, Rajaji Salai.

... Defendants

Plaint filed under Order II, Order IV Rule 1 of the Original Side Rules
read with Order VII Rule 1 of Civil Procedure Code praying to pass a
judgment and decree for:

(a) directing the defendants to pay a sum of
Rs.24,22,377.00/- with subsequent interest at the rate of 24%

per annum on Rs.13,30,957/- from the date of plaint till date of realization;

(b) directing the defendants to pay a sum of Rs.1 lakh as compensation with interest at the rate of 24% p.a from the date of plaint till realization and

(f) direct the defendants to pay the cost of the suit.

For Plaintiff : No appearance
For Defendants : Mr.K.Sankaran

J U D G M E N T

The suit is for directing the defendants to pay a sum of Rs.24,22,377.00/- with subsequent interest at the rate of 24% per annum on Rs.13,30,957/- from the date of plaint till date of realization, directing the defendants to pay a sum of Rs.1 lakh as compensation with interest at the rate of 24% p.a from the date of plaint till realization and for costs of the suit.

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2. The suit was posted for arguments on 25.01.2018, since there was no representation, it is posted today for dismissal. Even today there is no representation for the plaintiff.

3. Hence, the suit is dismissed with costs of the defendants.

30.01.2018

dsa

Index : No

Internet : Yes

Non-speaking Order

List of the witnesses examined on the side of the plaintiff:

PW1 - Mr.G.Natarajan

PW2 - Mr.K.Sivakumar

List of Exhibits marked on the side of the plaintiff:

Sl. No.	Exhibits	Description	Dated
1	Ex.P1	Original Authorisation letter given by the plaintiff.	05.03.2014
2	Ex.P2	Plaintiff's Requisition letter to the 2 nd defendant.	30.10.2003
3	Ex.P3	Plaintiff's Authorisation letter to debit to the 2 nd defendant.	30.10.2003
4	Ex.P4	Customer transfer order of 2 nd defendant to transfer from Chennai to Singapore.	31.10.2003
5	Ex.P5	Debit advice of the 2 nd defendant.	31.10.2003
6	Ex.P6	Applications for the release of the blocked fund to U.S. Treasury.	06.11.2003
7	Ex.P7	Representation to the 1 st defendant to release the blocked fund.	07.11.2003
8	Ex.P8	Forwarding letter to the 2 nd defendant to	07.11.2003

Sl. No.	Exhibits	Description	Dated
		Singapore-SBI.	
9	Ex.P9	Plaintiff's requisition letter to the 2 nd defendant.	12.11.2003
10	Ex.P10	Debit Advice for Rs.13,34,626.00 from plaintiff to M/s.Nitco Enterprises.	12.11.2003
11	Ex.P11	Customer copy of the message report.	13.11.2003
12	Ex.P12	Requisition letter from the plaintiff to the 3 rd defendant.	19.11.2003
13	Ex.P13	Letter from the Department of Treasury, USA to SBI Singapore.	16.12.2003
14	Ex.P14	Letter from the Department of Treasury, USA to the 2 nd defendant.	17.02.2004
15	Ex.P15	Letter of the 2 nd defendant.	22.03.2004
16	Ex.P16	Office copy of Legal notice to all the defendants.	28.09.2005
17	Ex.P17	Acknowledgment cards.	--
18	Ex.P18	Original Reply notice to plaintiff's Advocate.	10.10.2005
19	Ex.P19	Office copy of Rejoinder notice to defendant Advocate.	08.11.2005
20	Ex.P20	Acknowledgment card.	--
21	Ex.P21	Original Reply notice to the rejoinder notice.	22.11.2005
22	Ex.P22	Authorisation letter.	25.06.2014
23	Ex.P23	Authorisation letter.	22.04.2015

List of the witnesses examined on the side of the plaintiff:

DW1 - Mr.S.Prabhakaran

DW2 - Mr.V.Radhakrishnan

List of Exhibits marked on the side of the plaintiff:

Sl. No.	Exhibits	Description	Dated
1	Ex.D1	Form A2.	--
2	Ex.D2	Authorisation and other letters.	--
3	Ex.D3	Authorisation letter.	27.05.2014
4	Ex.D4	Photo copy of United States Government Sanctions.	--
5	Ex.D5	Authorisation letter.	30.10.2003
6	Ex.D6	Authorisation letter.	31.10.2003
7	Ex.D7	Photo copy of Proforma Invoice.	15.10.2003
8	Ex.D8	Annexure - 1 & 2.	--
9	Ex.D9	Letter sent by the defendant to the office of Foreign Assets Control, USA.	--
10	Ex.D10	Copy of the letter addressed by the plaintiff to the branch.	--
11	Ex.D11	Office copy of plaintiff's letter to Reserve Bank of India.	--
12	Ex.D12	Certified copy of order in A.No.4393 of 2013 by Hon'ble High Court, Madras.	09.10.2003
13	Ex.D13	Authorisation letter.	01.12.2015

सत्यमेव जयते

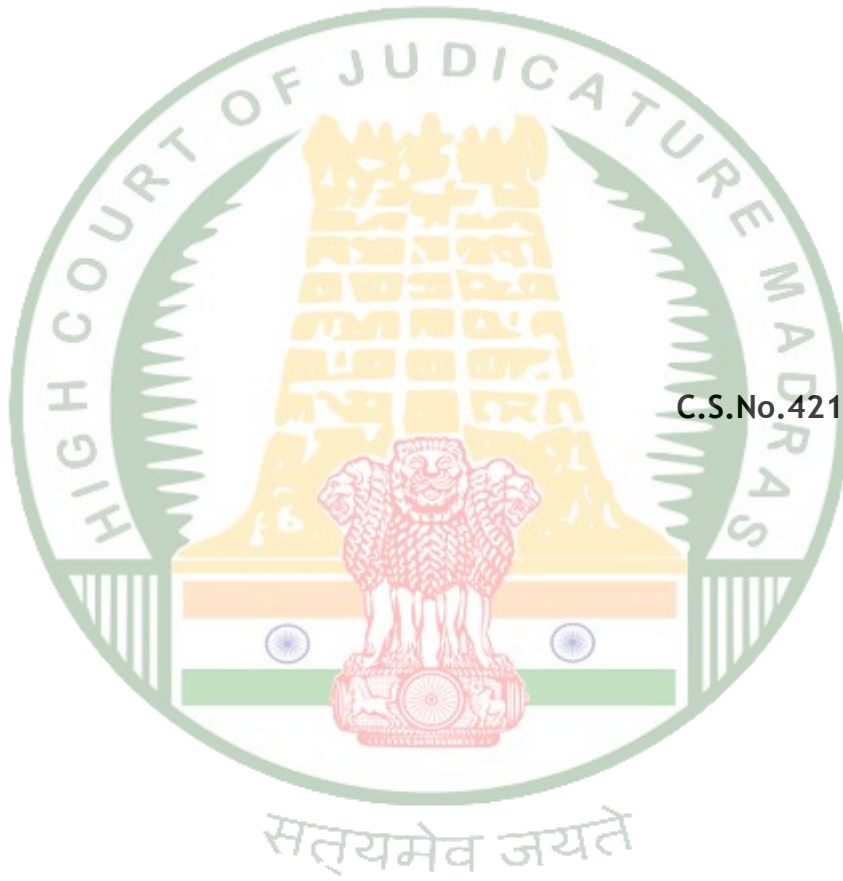
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R.SUBRAMANIAN, J.

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