

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.S.NO.347 OF 2016

AND

O.A.NOS.544 AND 545 OF 2018 AND A.NOS.6343 OF 2018

Shanmugam Thiagarajan

... Plaintiff

Vs.

1.Industrial Development Bank of India  
No.115, Anna Salai,  
Saidapet, Chennai - 600 015.

2.Elnet Limited (in liquidation)  
Rep. by Official Liquidator  
High Court of Madras  
2nd Floor, Corporate Bhavan,  
Chennai - 600 001.

3.Shanmugam Thiagarajan

4.Elnet Technologies Limited  
TS 140, Block 2 & 9,  
Rajiv Gandhi Salai,  
Taramani, Chennai - 600 113.  
Rep. by its Managing Director

5.The Recovery Officer  
Debts Recovery Tribunal - II  
Chennai.

## 6.The Director

The Central Depository Services (India) Ltd.  
 Branch office at  
 CDSL, BSE Investor Centre  
 No.4, Vijaya Towers, III Floor,  
 Kodambakkam High Road,  
 Chennai - 600 034.

... Defendants

**PRAYER:** Complaint filed under Order VII Rule 1 of CPC read with Order IV Rule 1 of the Madras High Court Original Side Rules with a prayer to pass a judgment and decree in favour of the plaintiff and against the defendants as follows:

(i) Declaring that the plaintiff is the absolute owner of the 3,69,483 shares held in Folio / DP No.12077600 Client ID No.00008109 with PAN No. DZCPS9718F in M/s.Elnet Technologies Limited;

(ii) Permanent injunction restraining the defendants, their men, servants, agents, representatives or anybody claiming under them from encumbering or alienating or dealing with the Plaintiff's 3,69,483 shares held in Folio / DP No.12077600 Client ID No.00008109 with PAN No.DZCPS9718F in M/s.Elnet Technologies Limited in any manner whatsoever;

(iii) Mandatory injunction directing the 1st defendant to transfer the 3,69,483 shares held in Folio / DP No.12077600 Client ID No.00008109 with PAN No.DZCPS9718F in M/s.Elnet Technologies Limited to the plaintiff's name; and

(iv) To pay cost of the suit.

|                 |   |                  |
|-----------------|---|------------------|
| For Plaintiff   | : | Mr.S.S.Bhaskaran |
| For Defendant-1 | : | Mr.K.Balamurali  |

**JUDGMENT**

Learned counsel appearing for the plaintiff seeks permission of this Court to withdraw the present suit and he has also made an endorsement to that effect in the Court bundle. He has circulated a letter dated 27.08.2019 to the Registry in this regard.

2. Recording the same, the Civil Suit is dismissed as withdrawn. There shall be no order as to costs. Consequently, connected applications are closed. Registry is directed to refund the Court Fee, if it is permissible, in accordance with law.

**30.08.2019**

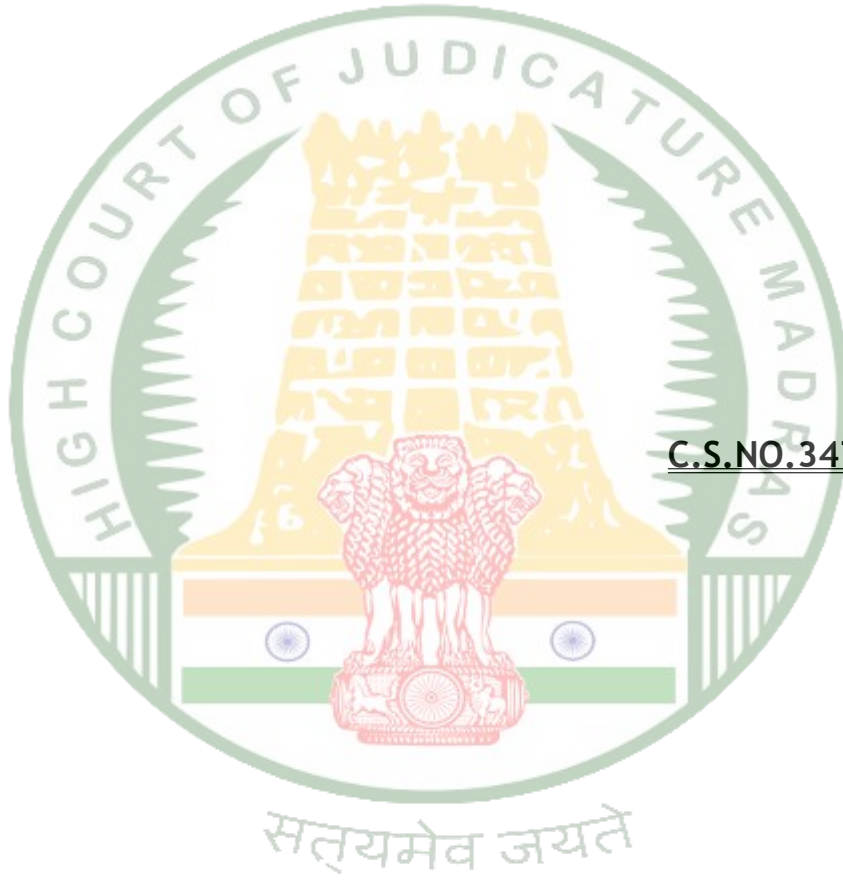
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M.GOVINDARAJ, J.

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C.S.NO.347 OF 2018

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30.08.2019