



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 10TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

C.S.(Comm.Div.) No.142 of 2009

1. Green Garden Private Ltd

2.Manoharamma Hotel Investments Private Ltd.,

3.Gemini Arts Private Ltd.

4. Gemini Foundations Private Ltd.

Plaintiff Nos. 1 to 4 have their office at
601, Anna Salai Chennai – 600 006
and Represented by their Joint Managing Director
A. Manohar Prasad

5. A. Manohar Prasad
Flat No. 20, II Floor, Manor Apartment
Cenotaph Road,
II Lane Chennai – 600 018

6.A. Ravishankar Prasad
2A Rahul Enclave, II Floor, Cenotaph Road
II Lane, Chennai – 600 018

7. Positive Housing Private Limited.
45, Arcot Road, Saligramam Chennai – 600 093.
Represented by Director K. Bapiah

...Plaintiffs

-Vs.-

<https://hcservices.ecourts.gov.in/hcservices/>
1. Indiabulls Financial Services Limited
No. 935, GKS Towers
1st Floor, Poonamalee High Road



(Near Abu Palace Hotel)
Chennai – 600 084.

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2. K. Bharathi
New No. 15, Old No. 22
3rd Main Road, Seethammal Colony
Chennai 600 018.

3. A, Indira Anand
Wife of Late Anand Rao
Old No. 60, New No. 30, 3rd Main Road
Gandhi Nagar, Adyar, Chennai -600 020.

... Defendants

C.S.(Comm.Div.) No.142 of 2009

Civil Suit praying that this Hon'ble Court be pleased to pass a judgment and Decree:

1. A true and proper account to be taken after an enquiry into the conduct of the First Defendant from the date of commencement of the loans till date of the suit and on the wrongful sale of 1,24,59,930 equity shares of face value Rs. 5 in Sun TV Network Limited, after arriving at the true value of the shares pledged by the Second and Third Defendants with the First Defendant, which was sold by the First Defendant on various dates and giving credit to the various payments effected by the plaintiffs to the first defendant and direct the First Defendant to pay the plaintiffs the balance amounts after giving credit to the loans availed off by the first and second plaintiff



2. Upon an account being taken direct by the issue of a mandatory injunction directing the First Defendant to forthwith release all the securities including handing over all the documents of title and executing necessary document releasing the mortgages effected in favour of the First Defendant.
3. Cost for the above suit.

This suit coming on this day before this court for hearing and the plaintiffs and the defendants herein, not appearing in person or by advocate and upon reading the plaint filed herein, **it is ordered as follows:-**

That the Suit in C.S. (Comm.Div.) No. 142 of 2009, be and is hereby dismissed for default.

2) That there shall be no costs of this suit.

WITNESS, THE HON'BLE MR.JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT OF MADRAS AFORESAID, THIS THE
10TH DAY OF NOVEMBER 2021

sd/-

ASSISTANT REGISTRAR (Comm.Cases)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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19.11.2021

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C.S.(Comm.Div.) No.142 of 2009

ORDER
DATED 10/11/2021

THE HON'BLE MR.JUSTICE
N.ANAND VENKATESH

FOR APPROVAL: 29/12/2021

APPROVED ON: 24/01/2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

C.S.(Comm.Div) No.142 of 2009

- 1 Green Garden Private Ltd
601 Anna Salai, Chennai-6 and Rep. By
Their Joint Managing Director A.Manohar Prasad
 - 2 Manoharamma Hotel Investments
Private Ltd., 601 Anna Salai Chennai-6
And Rep. By Their Joint Managing Director
A.Manohar Prasad
 - 3 Gemini Arts Private Ltd.
601 Anna Salai Chennai-6 and Rep. By
Their Joint Managing Director A.Manohar Prasad
 - 4 Gemini Foundations Private Ltd.
601, Anna Salai Chennai-6 and Rep.
By Their Joint Managing Director A.Manohar Prasad
 - 5 A.Manohar Prasad
Flat No.20 II Floor Manor Apartment
Cenotaph Road II Lane Chennai-18.
 - 6 A.Ravishankar Prasad
2A Rahul Enclave II Floor, Cenotaph Road
II Lane Chennai-18.
 - 7 Positive Housing Pvt Ltd.
45 Arcot Road Saligramam Chennai-93. Rep.
By Director K.Bapiah
- ... Plaintiffs



No.535, GKS Towers, 1st Floor
Poonamalee High Road (Near Abu Palace Hotel)
Chennai 600 084.

- 2 K.Bharathi
New No.15, Old No.22
3rd Main Road, Seethammal Colony
Chennai 600 018.
3. A.Indira Anand, W/o Late Anand Rao
Old No.60, New No.30, 3rd Main Road
Gandhi Nagar, Adyar, Chennai – 600 020. ... Defendants

Prayer: Civil suit filed under Order VII Rule 1 of Civil Procedure Code, 1908 and Order IV Rule 1 of O.S.Rules and Order VII Rule 1 of CPC praying for the following judgment and decree

a) A true and proper account to be taken after an enquiry into the conduct of the First Defendant from the date of commencement of the loans till date of the suit and on the wrongful sale of 1,24,59,930/- equity shares of face value Rs.5 in Sun Tv Network Limited after arriving at the true value of the shares pledged by the Second and Third Defendants with the First Defendant which was sold by the First Defendant on various dates and giving credit to the various payments effected by the plaintiffs; and further

b) Upon an account being taken direct by the issue of a mandatory injunction directing the first defendant to forthwith release all the securities including handing over all the documents of title and executing necessary documents releasing the mortgages effected in favour of the first defendant;

c) Costs for the above suit



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For Plaintiffs : No appearance

For Defendants : No appearance

J U D G M E N T

This is a suit pertaining to the year 2009. When the suit came up for hearing on 28.10.2021, this Court determined the jurisdiction of the Commercial Court and took cognizance of the suit. Even when the suit was taken up for hearing on 28.10.2021, there was no appearance on either side. Even today, there is no appearance on either side.

2. In view of the above, this suit is dismissed for default. No costs.

Sd/ N.A.V.J.
10/11/2021

//Certified to be true copy//
Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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