

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 12<sup>th</sup> DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

O.A.No.557 of 2021  
and  
A.Nos.3252, 4893 and 4894 of 2021  
in  
C.S.(Comm. Div.)No.56 of 2021

**O.A.No.557 and A.No.3252 of 2021:-**

Mukand Sumi Special Steel Limited,  
Represented by its Chief of Projects and Operations,  
Mr. Ompraval Singh,  
Mukand Kalwe Works,  
Thane-Belapur Road, Dighe,  
Kalwe, Thane - 400 605, Maharashtra. ....Applicant /Plaintiff

Vs

1. Sanco Trans Limited,  
Represented by its Managing Director,  
S.T. Tower, New No. 24 & 25,  
Second Line Beach Road,  
Chennai - 600 001.

2. Mr. P. Ravikumar  
Sole Proprietor  
M/s. Sankar Transport,  
No.40, MasthanKoil Street,  
Ennore Express Road, Thiruvottiyur,  
Chennai - 600 019.

3. Allianz Global Corporate & Speciality SE,  
 Represented by its Managing Director  
 Sedesecondaria di Milano,  
 C.so, Italia, 23 - 20122, Milano.

...Respondents/Defendants

**O.A.No.557 of 2021:-**

Original Application praying that this Hon'ble Court be pleased to grant an order of ad interim injunction restraining the 1<sup>st</sup> Respondent, its men, agents, servants or anybody claiming right either under or through it from encumbering, alienating, dealing, changing nature, creating charge over the Properties, more clearly described in the Schedule of Property pending disposal of the above C.S.

**A.No.3252 of 2021:-**

Application praying that this Hon'ble Court be pleased to pass an order directing the Respondents to furnish Security for a sum of Rs.3,64,55,033/- (Rupees Three Crores Sixty Four Lakhs Fifty Five Thousand and Thirty Three only), failing which, an Order of attachment Before Judgement of the properties, Sub Court, Thiruvottiyur more clearly described in the Schedule of Property pending disposal of the above C.S.

**A.Nos. 4893 and 4894 of 2021:-**

Sanco Trans Limited,  
 Represented by its Managing Director,  
 S.T.Tower, New No.24 & 25,  
 Second Line Beach,  
 Chennai - 600 001.

... Applicant/1<sup>st</sup> Respondent/  
 1<sup>st</sup> Defendant

Vs

1.Mukand Sumi Special Steel Limited,  
 Represented by its Chief of Projects and Operation,  
 Mr.Ompraval Singh,  
 Mukand Kalwe Works,  
 Thane Belapur Road, Dighe,  
 Kalwe, Thane 400 605, Maharashtra.

.....1<sup>st</sup> Respondent/  
 Applicant /Plaintiff

2. Mr.P.Ravikumar  
 Sole Proprietor  
 M/s. Sankar Transport,  
 No.40, Masthan Koil Street,  
 Ennore Express Road, Thiruvottiyur,  
 Chennai 600 019.

3. Allianz Global Corporate & Speciality SE,  
 Represented by its Managing Director  
 Sedesecondaria di Milano,  
 C.so, Italia, 23-20122, Milano.

...2<sup>nd</sup> and 3<sup>rd</sup> Respondents/  
 2<sup>nd</sup> & 3<sup>rd</sup> Respondents/  
 2<sup>nd</sup> and 3<sup>rd</sup> Defendants

**A.No.4893 of 2021:-**

Application praying that this Hon'ble Court be pleased to Vacate the  
 order dated 16/9/2021 passed by this Honorable Court in Appln No.3252 of  
 2021 in C.S.(Commercial Division) No.56 of 2021.

**A.No.4894 of 2021:-**

Application praying that this Hon'ble Court be pleased to Suspend the order dated 16/9/2021, pending disposal of the application filed for vacating the said order dated 16/9/2021 passed by this Honorable Court in Appln No.3252 of 2021 in C.S.(Commercial Division) No.56 of 2021.

These Applications coming on this day before this Court for hearing, in the presence of Mr.Hari Narayanan for M/s Tatva Legal Chennai, Advocates for the Applicant in O.A.No.557 of 2021 and A.No.3252 of 2021, and for the 1<sup>st</sup> respondent in A.Nos.4893 and 4894 of 2021, and Mr.K.Bijai Sundar, advocate for the applicant in A.No.4893 and 4894 of 2021 and for the 1<sup>st</sup> respondent in O.A.No.557 of 2021 and A.No.3252 of 2021, and Mr.T.Ravichandran, Advocate for the 3<sup>rd</sup> respondent in O.A.No.557 of 2021 and A.No.3252 of 2021 and A.Nos.4893 and 4894 of 2021, and the order dated 04.04.2022 made in O.A.No.557 of 2021 and A.No.3252, 4893, and 4894 of 2021 in C.S.(Comm.Div.)No.56 of 2021, and the learned counsel for the applicant/plaintiff having submitted that the plaintiff does not intend to prosecute O.A.No.557 of 2021 and A.No.3252 of 2021, and he further submitted that the said applications may be closed,

**It is ordered as follows:-**

That the interim order granted in pursuance of the order dated 16.09.2021 made in A.No. 3252 of 2021 be and is hereby vacated.

2.That the interim order granted in pursuance of the order dated

21.10.2021 made in A.No. 3252 of 2021, directing the respondents to maintain status quo be and is hereby vacated.

3. That the A.Nos.4893 and 4894 of 2021 do stand closed.

4. That the A.No.1671 of 2021 be posted on 26.04.2021.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 12<sup>th</sup> DAY OF APRIL 2022.

Sd/-  
ASSISTANT REGISTRAR (Comm.Cases)  
//Certified to be true copy//

Dated at Madras this the     day of     2022.

COURT OFFICER(O.S.)

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20.04.2022

O.A.No.557 of 2021  
and  
A.Nos.3252, 4893 and 4894 of 2021  
in  
C.S.(Comm. Div.)No.56 of 2021

ORDER

DATED : 12.04.2022

THE HON'BLE MR.JUSTICE  
SENTHILKUMAR RAMAMOORTHY

FOR APPROVAL: 21.04.2022

APPROVED ON : 22.04.2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 12<sup>th</sup> DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

O.A.No.557 of 2021  
and  
A.Nos.3252, 4893 and 4894 of 2021  
in  
C.S.(Comm. Div.)No.56 of 2021

**O.A.No.557 and A.No.3252 of 2021:-**

Mukand Sumi Special Steel Limited,  
Represented by its Chief of Projects and Operations,  
Mr. Ompraval Singh,  
Mukand Kalwe Works,  
Thane-Belapur Road, Dighe,  
Kalwe, Thane - 400 605, Maharashtra.

.....Applicant /Plaintiff

Vs

1. Sanco Trans Limited,  
Represented by its Managing Director,  
S.T. Tower, New No. 24 & 25,  
Second Line Beach Road,  
Chennai - 600 001.

2. Mr. P. Ravikumar  
Sole Proprietor  
M/s. Sankar Transport,  
No.40, MasthanKoil Street,  
Ennore Express Road, Thiruvottiyur,  
Chennai - 600 019.

3. Allianz Global Corporate & Speciality SE,  
 Represented by its Managing Director  
 Sedesecondaria di Milano,  
 C.so, Italia, 23 - 20122, Milano.

...Respondents/Defendants

**O.A.No.557 of 2021:-**

Original Application praying that this Hon'ble Court be pleased to grant an order of ad interim injunction restraining the 1<sup>st</sup> Respondent, its men, agents, servants or anybody claiming right either under or through it from encumbering, alienating, dealing, changing nature, creating charge over the Properties, more clearly described in the Schedule of Property pending disposal of the above C.S.

**A.No.3252 of 2021:-**

Application praying that this Hon'ble Court be pleased to pass an order directing the Respondents to furnish Security for a sum of Rs.3,64,55,033/- (Rupees Three Crores Sixty Four Lakhs Fifty Five Thousand and Thirty Three only), failing which, an Order of attachment Before Judgement of the properties, Sub Court, Thiruvottiyur more clearly described in the Schedule of Property pending disposal of the above C.S.

**A.Nos. 4893 and 4894 of 2021:-**

Sanco Trans Limited,  
 Represented by its Managing Director,  
 S.T.Tower, New No.24 & 25,  
 Second Line Beach,  
 Chennai - 600 001.

... Applicant/1<sup>st</sup> Respondent/  
 1<sup>st</sup> Defendant

Vs

1.Mukand Sumi Special Steel Limited,  
 Represented by its Chief of Projects and Operation,  
 Mr.Ompraval Singh,  
 Mukand Kalwe Works,  
 Thane Belapur Road, Dighe,  
 Kalwe, Thane 400 605, Maharashtra.

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2. Mr.P.Ravikumar  
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 M/s. Sankar Transport,  
 No.40, Masthan Koil Street,  
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 C.so, Italia, 23-20122, Milano.

...2<sup>nd</sup> and 3<sup>rd</sup> Respondents/  
 2<sup>nd</sup> & 3<sup>rd</sup> Respondents/  
 2<sup>nd</sup> and 3<sup>rd</sup> Defendants

**A.No.4893 of 2021:-**

Application praying that this Hon'ble Court be pleased to Vacate the  
 order dated 16/9/2021 passed by this Honorable Court in Appln No.3252 of  
 2021 in C.S.(Commercial Division) No.56 of 2021.

**A.No.4894 of 2021:-**

Application praying that this Hon'ble Court be pleased to Suspend the order dated 16/9/2021, pending disposal of the application filed for vacating the said order dated 16/9/2021 passed by this Honorable Court in Appln No.3252 of 2021 in C.S.(Commercial Division) No.56 of 2021.

These Applications coming on this day before this court for hearing **the court made the following order:-**

A.No.3252 of 2021 was filed to furnish security for a sum of Rs.3,64,55,033/-. By order dated 16.09.2021, the respondents were directed to furnish security by 21.10.2021. By a subsequent order dated 21.10.2021, the respondents were directed to maintain status quo in respect of the property described in the schedule to the judges summons in O.A.No.557 of 2021. The respondents filed A.No.4893 of 2021 to vacate the order dated 16.09.2021 and A.No.4894 of 2021 to suspend the order.

2. At the hearing today, learned counsel for the applicant/plaintiff submits, on instructions, that the plaintiff does not intend to prosecute O.A.No.557 of 2021 and A.No.3252 of 2021. He further submits that the said applications may be closed.

3. In view of the said submission, the orders dated 16.09.2021 and 21.10.2021 are vacated. Consequently, nothing survives in A.No.4893 and

4894 of 2021 and the said applications are closed.

4. List A.No.1671 of 2021 on 26.04.2021.

Sd./-S.K.R.J.

12.04.2022

//Certified to be true copy//

Dated at Madras this the    day of        2022.

COURT OFFICER(O.S.)

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